SCHMENK, SPENCER & HASSELBACH

ATTORNEYS AT LAW SHAWNEE PLACE 20 NORTH LIMESTONE STREET SPRINGFIELD, OHIO 45502



Geraid E Schmenk Richard A Spencer Kurt S Hasselbach

Telephone (937) 323-9739

FAX (937)- 323-9388

August 28, 2007

City of Springfield Attn: Barry Ritter

City Hall - 76 East High Street

Springfield, Ohio 45502

Re: FREEMAN, Donald Jr.

137 E. Southern

Springfield, Ohio 45505

Tax Mailing Address:

same

UPDATED CERTIFICATE OF TITLE

Dear Mr. Ritter:

Pursuant to your request, I have caused an updated examination to be made of the title to the property described below from the September 21, 2006, certificate (copy enclosed) and there have been no changes except as otherwise noted.

See Exhibit "A" attached

The undersigned hereby certifies that he has made, or caused to be made a thorough examination of the records of Clark County, Ohio as disclosed by the public indices, relating to the premises above described.

The undersigned further certifies that in his opinion, based upon said records, the fee simple title to said premises is vested in the name of **DONALD FREEMAN JR.**, by virtue of a Quit Claim Deed dated July 1, 2007, and filed for record July 25, 2007, in Clark County, Ohio, Official Records Book 1823, Page 928 and as appears from said county records, the title is marketable and free from encumbrances except and subject to the matters set forth below:

AUDITOR'S VALUATION:

TOTAL

LAND \$ 2,530.00 BUILDING \$ 1,050.00

\$ 3,580.00

PPN 340-07-00034-420-008

TAXES:

First Half 2006	\$ 93.96	Unpaid
Second Half 2006	\$ 93.96	Unpaid



Total delinquent taxes, penalties and interest is \$ 217.06.

Taxes for the calendar year 2007 are a lien on the land but are not yet due.

MORTGAGES:

None of Record

LEASES:

None of Record.

EASEMENTS:

None of Record.

RESTRICTIVE COVENANTS:

None of Record.

MISCELLANEOUS:

Nothing of Record

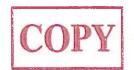
This certificate does not purport to cover matters not of record in said County, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics liens, special taxes and assessments not shown by the County Treasurer's records, or zoning or other governmental regulations, or liens asserted by the United States or State of Ohio, their agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Super Fund Amendments, and under the Racketeering influence Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of the County in which the property is located.

This updated Certificate was completed August 23, 2007, at 8:00 a.m.

Respectfully submitted,
SCHMENK, SPENCER, & HASSELBACH

Gerald E. Schmenk

EXHIBIT "A"



Situated in the City of Springfield, County of Clark and State of Ohio:

Being Lot Number Three Thousand Seven Hundred and Thirty Nine (3739) as the same is numbered and designated on the Plat of Lots laid out by the heirs of Arthur Cole, deceased, in Addition to said City, which plat is recorded in Volume 2, Page 31, Clark County, Ohio, Plat Records.

Parcel No. 340-07-00034-420-008

Premises commonly known as: 137 East Southern Avenue, Springfield, Ohio 45505

Clark County Combined Health Dis 529 East Home Road Springfield, Ohio 45503

(937) 390-5600 Main: Email: health@ccchd.com

Fax: TDD: (937) 390-5625

(937) 390-5605

Springfield, OH 45505

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Help Me Grow

Main:

(937) 322-2099 -

Fax:

(937) 322-4189

ORDER TO CONTROL LEAD HAZARDS

To:

Kathryn Lewis Campbell 1618 Shadeland Drive Springfield, OH 45503

Owner as of 7/25/07: Donald Freeman Jr. 137 E. Southern Springfield, OH 45505

Owner/Manager of:

137 E. Southern, Springfield, OH 45505

Parcel#: 3400700034420008

You are hereby ordered to use a licensed lead abatement contractor to control the lead hazards in the property you own at 137 E. Southern, Springfield, OH 45505. This order is issued under section 3742.37 of the Ohio Revised Code and rule 3701-30-09 of Ohio Administrative Code.

In accordance with Section 3742.36 of the Ohio Revised Code and rule 3701-30-08 of the Ohio Administrative Code, the Ohio Department of Health conducted a public health lead risk assessment at the above property on June 6 & July 5, 2007. Lead hazards were found which are contributing, in whole or in part, to a child's lead poisoning. A copy of the lead risk assessment report is attached and incorporated herein.

The following lead hazards have been identified and must be controlled. A clearance examination must be passed within 45 days from the receipt of this order. The approved methods of control are set forth in rule 3701-30-10 of the Ohio Administrative Code and are included in the risk assessment report.

Paint-lead hazards:

Exterior:

House:

- Walls
- Corner boards
- Old windows and components
- Doors and components
- Soffits

Front Porch:

- Columns
- Ceiling
- Threshold-Wall B

Interior

Kitchen:

- Walls
- · Left door-Wall A
- Left door-Wall D

Bathroom 1:

- Walls
- Door & components
- Windows and components
- Baseboards
- Floor

Back porch:

- Windows and components
- Door components-Wall A
- Threshold-Wall A

Stairway:

• Floor of lower landing

Bedroom 2:

Windows and components

Bathroom 2:

- Chair rails
- Doors & components

Dust-lead hazards:

Stairway

Window sill

Bathroom #2

Floor

Bedroom #3

Window sill

Living room

Window sill

Front porch

· Floor.

Soil-lead hazards:

No soil samples taken.

Within 10 calendar days from the receipt of this order, you must inform the Clark County Combined Health District by mail to: 529 East Home Road, Springfield, OH 45503; by fax to (937) 390-5600; or by e-mail to rfranks@ccchd.com, as to which lead



hazard control methods have been chosen. Please indicate the name of the licensed lead abatement contractor who will be doing the work.

Any lead abatement activity or lead hazard control work must be performed by a lead abatement contractor licensed in Ohio. An updated list of lead abatement contractors can be obtained from the Ohio Department of Health by calling 877-668-5323 (toll free) or from the website: http://www.odh.ohio.gov (click on 'ODH Programs', find 'Lead Poisoning Prevention' and choose 'Lists').

After corrections have been made, the property must pass a clearance examination. The clearance examination must be performed by a lead risk assessor or lead inspector licensed in Ohio. You must provide a copy of the clearance examination report to the Clark County Combined Health District. The property will remain subject to this order until this department is notified that the hazards were controlled by a licensed lead abatement contractor, that a clearance examination has been passed, and you receive notification that the order has been lifted.

Failure to comply with this order will result in an order prohibiting the use of the property as a residential unit, child day-care facility or school and the posting of a placard on the property-warning the public that the property-is-unsafe for-human occupation.

If you have any questions about this order, please call Roger Franks at (937) 390-5600, extension 248.

Charles A. Patterson, RS, MBA Health Commissioner

Date

Enclosures

cc:

Tenant(s) Ohio Department of Health Lead Safe Springfield File

Lead Risk Assessment Report



for the property at:

137 E. Southern Springfield, OH 45505 Parcel#: 3400700034420008

Property Owner:

Kathryn Lewis Campbell
1618 Shadeland Drive
Springfield, OH 45503

Year built: pre-1950 Description: Single family, 2-story frame

Prepared By:

Roger Franks
RA License No.: OH 000971

Signature:		
DIETHOLDER OF	 	

Clark County Combined Health District 529 East Home Road Springfield, OH 45503 (937) 390-5600

Date of Assessment: 6/6/07 & 7/5/07

Date of Report: 7/31/07

DISCLOSURE REQUIREMENTS FOR RESIDENTIAL UNITS

Ohio law (section 5302.30 of the Revised Code) requires every person who intends to transfer any residential real property by sale, land installment contract, lease with option to purchase, exchange, or lease for a term of ninety-nine years and renewable forever, to complete and provide a copy to the prospective transferee of the applicable property disclosure forms, disclosing known hazardous conditions of the property, including lead-based paint hazards.

Federal law (24 CFR part 35 and 40 CFR part 745) requires sellers and lessors of residential units constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than six years of age resides or is expected to reside in such housing) or any zero-bedroom dwelling to disclose and provide a copy of this report to new purchasers or lessees before they become obligated under a lease or sales contract. Property owners and sellers are also required to distribute an educational pamphlet approved by the United States environmental protection agency and include standard warning language in sales contracts or in or attached to lease contracts to ensure that parents have the information they need to protect children from lead-based paint hazards.

INTRODUCTION

Pursuant to sections 3742.35 and 3742.36 of the Ohio Revised Code, on June 6 & July 5, 2007, a lead risk assessment was conducted at 137 E. Southern in Springfield, Ohio. The purpose of this assessment was to identify lead hazards in a child's environment. The assessment consisted of the following:

- ✓ Completion of a questionnaire to determine possible sources of lead;
- ✓ Visual inspection of paint condition;
- ✓ Use of a portable X-ray fluorescence (XRF) analyzer to test for lead in paint; and
- ✓ Collection of dust, soil, paint, water and/or other sources of lead, as appropriate.

SUMMARY of FINDINGS

Lead hazards were found in the locations listed below:



Paint-lead hazards:

Exterior:

House:

- Walls
- Corner boards
- Old windows and components
- Doors and components
- Soffits

Front Porch:

- Columns
- Ceiling
- Threshold-Wall B

Interior

Kitchen:

- Walls
- · Left door-Wall A
- Left door-Wall D

Bathroom 1:

- Walls
- Door & components
- Windows and components
- Baseboards
- Floor

Back porch:

- Windows and components
- Door components-Wall A
- Threshold-Wall A

Stairway:

• Floor of lower landing

Bedroom 2:

Windows and components

Bathroom 2:

- Chair rails
- Doors & components

Dust-lead hazards:

Stairway

Window sill

Bathroom #2

Floor

Bedroom #3

Window sill.

Living room

e Window sill.

Front porch

· Floor.

Soil-lead hazards

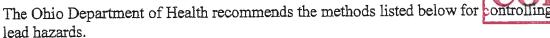
No soil samples taken.



Background Information and Visual Assessment:

Two story, wood frame, pre-1950 single family building in poor condition with fire damage to interior. Opened windows and foot traffic from porch to interior coupled with poor paint conditions on exterior and interior with fire damage on interior structures may cause lead exposure to children.

RECOMMENDATIONS





Paint-lead hazards:

Remove lead-based painted components and replace with lead-free components;

Dust-lead hazards:

Eliminate the source creating the lead-contaminated dust through replacement, followed by specialized cleaning to eliminate the lead-contaminated dust.

Dust-lead hazard	Most likely source
Stairway window sill	Window trough
Bathroom floor	Floor and window
Bedroom 3 window sill	Window trough
Living room window sill	Window trough
Front porch floor	Porch components, walls, and windows

Soil-lead hazards:

Remove the top six inches of lead-contaminated bare soil and replace it with new soil, if applicable.

See the "Lead Hazard Control Methods" section of the report for the complete list of approved methods of controlling these hazards.

PAINT TEST RESULTS

An X-Ray Fluorescence (XRF) Lead Analyzer was used to test the paint for lead. This analyzer is a nondestructive method of testing paint and provides immediate results for each test conducted. If paint contains lead equal to or greater than 1.0 mg/cm², it is considered to be lead-based paint. The higher the reading on the XRF, the higher the lead content of the paint. Readings greater than 9.9 (>9.9) are above the highest readout setting.

Building components in a room that are similar in construction history to those that tested positive for lead are considered positive for lead.

Paint condition:

- ✓ Intact: Entire surface area is judged to be intact. Intact surfaces may or may not have been tested and need only monitoring.
- ✓ **Deteriorated:** shows signs of abrasion and/or is peeling, chipping, chalking, or cracking, or otherwise damaged or separated from the substrate. This includes paint conditions described as fair or poor on computer generated paint inspection reports.

XRF Calibration Check Test Results

Make, model number and serial number of XRF: RMD Model LPA-1 XRF Type Analyzer Serial # 011810

0 mg/cm² Standard

1.02 mg/cm² Standard

Time	1 st	2 nd	3 rd	Average	Time	<u>1</u> st	2 nd	3 rd	Average
Initial	0.0	0.00	0.0	0.0	Initial	1.1	1.0	0.9	1.0
1 11	0.0	0.0.	0.0	0.0		1.0	1.1	0.9	1.0
Final	0.0	0.0	0.0	0.0	Final	1.0	1.1	1.1	1.07
	0.0	0.0	0.0	0.0		1.0	1.0	0.9	0.97

DUST, SOIL & OTHER TEST RESULTS

As part of this assessment, the following environmental samples were collected and analyzed according to procedures in the HUD Guidelines and rule 3701-30-08 of the Ohio Administrative Code. The attached diagram shows where the samples were collected. Sample results at or above hazardous levels are listed in bold type.

Dust:

10 dust samples and 1 quality control samples were collected and submitted for analysis for lead. The results are expressed as micrograms per square foot ($\mu g/ft^2$).

Dust Results

Sample Number	Location and surface type	Result (µg/ft ²)	Hazard Level (µg/ft²)	Lead Hazard (Yes or No)
070507A	Blank sample	Not detectable		Not applicable
070507B	Stairway-Window Sill-Wall B	1219.6	250	YES
070507C	Stairway-Floor Below	19.2	40	No
	Window-Wall B			<u> </u>
070507D	Bathroom #2-Window Sill- Wall C	114.5	250	No
070507E	Bathroom #2-Floor-Wall	42.5	40	YES
070507F	Bedroom #3-Window Sill- Wall C	263.1	250	YES
070507G	Bedroom #3-Floor-Wall C	<10.0	40	No
070507Н	Living Room-Right Window Sill-Wall A	515.2	250	YES
070507I	Living Room-Floor Below Right Window-Wall A	<10.0	40	No
070507J	Living Room-Threshold @Entry-Wall A	37.5	40	No
070507K	Front Porch-Floor Near Front Door-Wall A	14807.1	40	YES

Soil: "Not applicable"



Paint Chips: "Not applicable"

Water: "Not applicable"

The laboratory used for the analysis of dust, soil and/or water is listed below:

Schneider Laboratories Incorporated 2512 W. Carey Street Richmond, VA23220-5117 1-800-785-5227

LEAD HAZARD LEVELS

Lead is hazardous, especially for children who are six years of age or younger. Lead can reduce intelligence, cause behavior and learning problems, slow growth and impair hearing. Children can get lead in their bodies by breathing or swallowing lead dust, or by eating soil or paint chips with lead in them.

Lead-Based Paint

Lead-based paint is any paint or surface coating that contains lead equal to or in excess of 1.0 milligrams per square centimeter (1.0 mg/cm²) or equal to or in excess of 0.5% by weight. Lead-based paint is hazardous when it is:

- 1. On a **friction surface**. The paint on surfaces like window sashes and jambs can break down during normal use and release lead dust. If dust levels on the nearest flat surface exceed acceptable levels, then the friction surface is a hazard.
- 2. On a **chewable surface** that has evidence of teeth marks. These are surfaces, such as window sills, railings, door edges and stair edges that that a young child can mouth or chew.
- 3. On an **impact surface** where there is damaged or otherwise deteriorated paint from impact from a related building component (such as a door and door frame banging together).
- 4. **Deteriorated**, e.g., peeling, chipping, chalking, or cracking. When lead paint breaks down or is disturbed due to remodeling, renovating, dry scraping or water damage, paint chips and dust can be released that can contaminate the home and be easily ingested by young children through hand-to-mouth activity.

Lead Dust Hazard Levels

- 40 micrograms per square foot (μg/ft²) on floors of interior or exterior living areas or on any horizontal surface other than a window sill or trough
- 250 μg/ft² on interior window sills or exterior living area window sills
- 400 µg/ft² for window troughs

Lead Soil Hazard Levels

- 400 μg/g (ppm or parts per million) for bare soil in play areas or
- 1200 ppm (composite or average) in bare soil in non-play areas

Water Hazard Level

15 parts per billion (ppb or μg/L) for lead in drinking water

If the results are equal to or higher than the levels noted above, a lead hazard is present.

LEAD HAZARD CONTROL METHODS

When lead hazards have been identified as contributing to a child's lead possining, rule 3701-30-10 of the Ohio Administrative Code requires that the lead hazards be controlled through one or more of the following methods by a licensed lead abatement contractor. Any lead hazard control method that requires a written ongoing maintenance and monitoring schedule shall also pass an annual clearance examination to determine that the lead hazard control method has been maintained.

An updated list of licensed lead abatement contractors can be obtained by calling the Ohio Department of Health at 1-877-668-5323 or from the Ohio Department of Health web site: http://www.odh.ohio.gov, click on 'ODH Programs', find 'Lead Poisoning Prevention' and choose 'Lists'.

The methods of controlling lead hazards are listed below:

- (1) Deteriorated Lead-Based Paint on Non-friction or Non-impact Surfaces: Examples include interior or exterior walls, ceilings, trim, casings, baseboards, etc.
 - a) Removal of the lead-based painted component and replacement with a lead-free component;
 - b) Paint removal by separation of the lead-based paint from the substrate using heat guns (operated below eleven hundred degrees Fahrenheit), chemicals, or certain abrasive measures either onsite or offsite;
 - c) Enclosure of the lead-based painted component with durable materials. Durable materials include wallboard, drywall, paneling, siding, coil stock and the sealing or caulking of edges and joints so as to prevent or control chalking, flaking, peeling, scaling or loose lead-containing substances from becoming part of house dust or otherwise accessible to children;
 - d) Encapsulation of the lead-based painted component by coating and sealing of the component with a durable surface coating approved in rule 3701-32-13 of the Administrative Code;
 - e) Paint stabilization as defined in rule 3701-32-01 of the Administrative Code and a written ongoing maintenance and monitoring schedule; or
 - f) Any other lead-safe method of permanently removing the lead hazard.
- (2) Deteriorated Lead-Based Paint on Friction or Impact Surfaces: Examples include window systems, doors, floors, etc.
 - a) Removal of the lead-based painted component and replacement with lead-free components;

- b) Lead-based paint removal by separation of the lead-based paint from the substrate using heat guns (operated below eleven hundred degrees Fahrenheit), chemicals or certain abrasive measures either onsite or offsite;
- c) Enclosure of the impact surfaces with durable materials. Durable materials include wallboard, drywall, paneling, a quarter inch or thicker plywood or other underlayment for floors, coil stock and the sealing or caulking of edges and joints so as to prevent or control chalking, flaking, peeling scaling, or loose lead-containing substances from becoming part of house dust or otherwise accessible to children. The underlayment for floors must be covered with a cleanable, impermeable surface;
- d) Elimination of the friction points or application of a treatment that will prevent abrasion of the friction surface and a written ongoing maintenance and monitoring schedule; or
- e) Any other lead-safe method of permanently removing the lead hazard.

(3) Chewable Surfaces:

Examples include window sills, railings and other child-accessible surfaces that show evidence of teeth marks.

- a) **Removal** of the lead-based painted component **and replacement** with lead-free components;
- b) Lead-based paint removal by separation of the lead-based paint from the substrate using heat guns (operated below eleven hundred degrees Fahrenheit), chemicals or certain abrasive measures either onsite or offsite;
- c) **Enclosure** of the lead-based painted component with a material that cannot be penetrated by a child's teeth;
- d) Encapsulation of the lead-based painted component by coating and sealing of the component with a durable surface coating approved in rule 3701-32-13 of the Administrative Code; or
- e) Any other lead safe method of permanently removing the lead hazard.

(4) Lead-contaminated Dust:

a) Elimination or control of the source creating the lead-contaminated dust using an appropriate control method listed above and followed with specialized cleaning to eliminate the lead-contaminated dust. Specialized cleaning includes the use of a HEPA vacuum, wet-mopping and/or wet-scrubbing; or

b) Elimination of the lead-contaminated dust when the source creating the lead-contaminated dust cannot be identified through specialized cleaning and a written ongoing maintenance and monitoring schedule. Specialized cleaning includes the use of a HEPA vacuum, wet-mopping or wet-scrubbing.

(5) Lead-contaminated Soil:

- a) Covering of the lead-contaminated bare soil with a permanent covering such as concrete or asphalt;
- b) **Removal** of the top six inches of lead-contaminated bare soil and replacing it with six inches of new soil having a lead concentration of less than two hundred parts per million;
- c) Covering of the lead-contaminated soil with an **impermanent covering** and a written ongoing maintenance and monitoring schedule. Impermanent covering includes sod and artificial turf. Gravel and mulch may be used as an impermanent covering if applied at a minimum of six inches in depth; or
- d) Any other lead safe method of permanently removing the lead hazard.

(6) Lead-contaminated Water Pipes

- a) Removal of the plumbing fixtures and replacement with lead-free fixtures;
- b) Flushing of the water lines that are used for drinking or cooking for a minimum of one minute when water has not been used in the last six hours; or
- c) Any other lead safe method of permanently removing the lead hazard.

The following practices are **PROHIBITED**:

- (1) Open flame burning or torching;
- (2) Machine sanding or grinding without a HEPA local vacuum exhaust tool;
- (3) Abrasive blasting or sandblasting without a HEPA local vacuum exhaust tool;
- (4) Use of a heat gun operating above one thousand one hundred degrees Fahrenheit;
- (5) Charring paint;
- (6) Dry sanding;
- (7) Dry scraping, except when done as follows:

a) In conjunction with a heat gun operating at not more than one thousand one hundred degrees Fahrenheit;



- b) Within one foot of an electrical outlet;
- c) To treat defective paint spots totaling not more than two square feet in an interior room or space or twenty square feet on an exterior surface.
- (8) Uncontained hydroblasting or high-pressure washing; and
- (9) Paint stripping in a poorly ventilated space using a volatile stripper that is considered a hazardous substance under 16 C.F.R. 1500.3 or a hazardous chemical under 29 C.F.R. 1910.1200 or 29 C.F.R. 1926.59 in the type of work being performed.

Important Notes:

- Residents, especially children and pregnant women, must be kept away from the lead hazard control area. Proper and thorough cleanup is important so that dust and paint chips are not left behind at the end of the job.
- After lead hazard control work is done, the home must pass a clearance examination, which may include dust wipe samples, to ensure that no lead dust, debris or paint chips are left behind.
- Paint stabilization, interim window treatments and impermanent covering of leadcontaminated soil require a written ongoing maintenance and monitoring schedule and an annual clearance examination. It is recommended that a visual check of past repairs involving painted surfaces should be done annually and at unit turnover.
- Other surfaces that measured below hazard limits should also be addressed to prevent them from becoming hazardous. It is recommended that lead-safe work practices be used when such surfaces are repaired or replaced.

ATTACHMENTS

- Diagram of Residence
- Diagram of window, door and stair components





Database last updated 5/31/2007 3:27:14 PM All data is derived from Current Tax Year (2006 payable 2007)

Parcel

Parcel ID: 3400700034420008

Current Owner:

CAMPBELL KATHRYN Y LEWIS

Property Address:

137 E SOUTHERN AVE

Tax Malling Address:

KATHRYN Y LEWIS CAMPBELL , 1618 SHADELAND DR SPRINGFIELD OH 45503

VALUES	APPRAISED	ASSESSED (35%)
Land:	\$7,230	\$2,530
Building:	\$3,000	\$2,530 \$1,050
Total Value:	\$10,230	
CAUV Value:	\$0	\$3,580
Taxable Value:	\$3,580	

	First Half	Second Half	
Original Tax:	\$156.35	\$156.3	35
Reduction:	(\$51.95)	(\$51.9	5)
Adjusted Tax:	\$104.40	\$104.4	•
10% Roliback Reduction:	(\$10.44)	(\$10.4	4)
Homestead Reduction:	\$0.00	\$0.0	00
2 1/2% Homestead Reduction:	\$0.00	\$0.0	00
Penalty:	\$9.41	\$0.0	00
Net Tax:	\$93.96	\$93.9	98
Special Assessment Net:	\$0.00	\$0.0)0

Delinquency:	\$0.00
Net Annual Tax & Assessments:	\$197.33
Total Unpaid Taxes & Assessments:	\$197:33

Stephen T. Metzger Clark County Treasurer 937-521-1832

treasurer@ciarkcountyohio.gov

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