

RESOLUTION

TRUMBULL COUNTY HEALTH DEPARTMENT
176 CHILSTROUT BL.
WARREN, OHIO 44483

WHEREAS, the Trumbull County Home Sewage Treatment Systems Regulations currently provide that "point of sale" inspections be conducted by the Trumbull County Health Department for all transfers of real property prior to recording; and

WHEREAS, the Trumbull County Board of Health wishes to exempt certain transfers from the "point of sale" mandatory inspection requirements of the Trumbull County Home Sewage Treatment Systems Regulations; and

WHEREAS, the Trumbull County Board of Health believes that the Trumbull County Home Sewage Treatment Systems Regulations should not impede certain transfers of real estate where third parties do not take an interest in said real estate for valuable consideration.

NOW THEREFORE, the Trumbull County Board of Health adopts the following policy by way of this Resolution, which shall remain in full force and effect until such time as it is repealed in whole or in part:

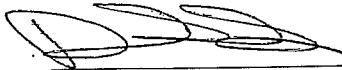
THAT THE FOLLOWING TYPES OF TRANSFERS OF REAL ESTATE BE EXEMPT FROM THE POINT OF SALE INSPECTIONS MANDATED BY THE TRUMBULL COUNTY HOME SEWAGE SYSTEMS REGULATIONS:

- 1) All transfers and partitions of real property under order of a court of competent jurisdiction, including, but not limited to: foreclosure sales, probate property sales, and divorce decrees.
- 2) Transfers from a sole owner to a survivorship when transferor is also one of the survivor transferees, and where no valuable consideration is paid at the time of the transfer.
- 3) Transfers from a survivorship instrument/joint tenancy to one or both of the survivors so long as a non-party transferee is not added to the deed, and so long as no valuable consideration is paid at the time of the transfer.
- 4) Transfers to one or more of the beneficiaries on a Transfer on Death (T.O.D.) deed, and so long as no valuable consideration is paid at the time of the transfer.
- 5) Transfers to a trust, when the transferor is the beneficiary of that trust, and so long as no valuable consideration is paid at the time of the transfer.
- 6) Transfers from a trust to the remaining beneficiaries, when the requirements in paragraph five are met, and so long as no valuable consideration is paid at the time of the transfer.
- 7) Transfers by and between spouses, as a result of death of one spouse or otherwise, from or to a survivorship or a tenancy in common, where the spouses are the only parties to the instrument, and so long as no valuable consideration is paid at the time of the transfer.
- 8) Transfers from a parent to a child or grandchild, where the parent reserves a life estate, and so

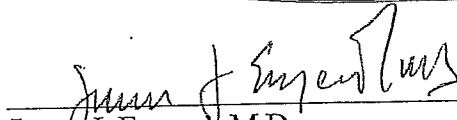
long as no valuable consideration is paid at the time of the transfer.

9) Transfers made for corrective purposes only, so long as the point of sale was completed before the time of the original transfer, or the original transfer was exempt by virtue of these exemptions, or if the point of sale inspections were not mandated at the time of the original transfer.

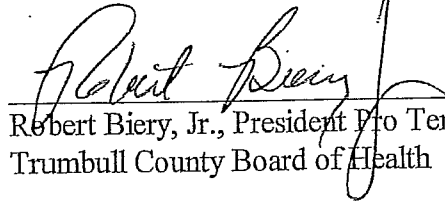
IT IS ALSO THE POLICY OF THE TRUMBULL COUNTY BOARD OF HEALTH THAT THE AFOREMENTIONED EXEMPTIONS TO THE TRUMBULL COUNTY HOME SEWAGE TREATMENT SYSTEMS REGULATIONS' MANDATORY "POINT OF SALE" INSPECTIONS SHALL NOT AFFECT THE TRUMBULL COUNTY BOARD OF HEALTH'S STATUTORY AND LEGAL OBLIGATION AND ABILITY UNDER THE OHIO REVISED CODE TO INSPECT THESE SYSTEMS POST-TRANSFER AND TO ASSESS THE FEE FOR SAID INSPECTION AGAINST THE ASSIGNEE OF SAID PROPERTY PURSUANT TO O.R.C. §3709.09 AND §3709.091. THE PURPOSE OF THIS RESOLUTION IS SOLELY TO EXEMPT CERTAIN AFOREMENTIONED TRANSFERORS FROM THE MANDATORY POINT OF SALE INSPECTION WHICH OTHERWISE MUST OCCUR PRIOR TO THE DEED RECORDING. ASSIGNEES OF THE AFOREMENTIONED EXEMPTED PROPERTY TRANSFERS WILL BE REQUIRED TO PURCHASE AN OPERATIONAL PERMIT IN ACCORDANCE WITH O.R.C. §3709.09, §3709.091, OAC RULE 3701-29-04, AND THE TRUMBULL COUNTY HOME SEWAGE SYSTEMS REGULATIONS.



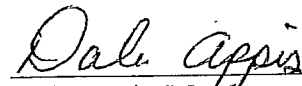
Donald Scott Thompson, President
Trumbull County Board of Health



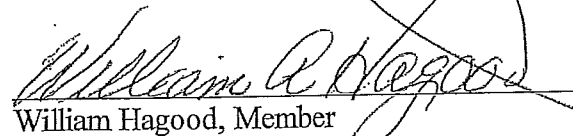
James J. Enyeart, M.D.
Health Commissioner and Secretary
Trumbull County Board of Health



Robert Biery, Jr., President Pro Tempore
Trumbull County Board of Health



Dale Appis, Member
Trumbull County Board of Health



William Hagood, Member
Trumbull County Board of Health



Dr. Pat DiTommaso, Member
Trumbull County Board of Health