

IN THE COURT OF COMMON PLEAS
ASHTABULA COUNTY, OHIO

ANGIE MAKI-CLIFF, ASHTABULA
COUNTY TREASURER, ASHTABULA
COUNTY, OHIO

Plaintiff,

-vs-

MICHAEL SCHAAB, et al.

Defendant(s).

) CASE NO.: 2024-CV-725

) JUDGE: THOMAS E. HARRIS

) PRAECIPE

APRIL DAVIES
CLERK OF COURTS
COMMON PLEAS COURT
ASHTABULA CO OH

2024 NOV 25 AM 8:48

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TO THE CLERK:

Please cause a Notice of Foreclosure in the form of the notice attached as Exhibit 1 to be published one week in The Gazette, a newspaper of general circulation in Ashtabula County, Ohio and beginning one week thereafter, on the following website selected by the Clerk of Court:

<https://ashtabulacountyprosecutoroh.gov/notice-of-foreclosure/>.

RESPECTFULLY SUBMITTED,

COLLEEN M. O'TOOLE
PROSECUTING ATTORNEY

By, Gene Barrett
GENE C. BARRETT, (#0078602)
Assistant Prosecutor
Attorney for Plaintiff

COPY

EXHIBIT "1"

FORM NOTICE OF FORECLOSURE

COMMON PLEAS COURT, ASHTABULA COUNTY, OHIO

Notice of foreclosure of liens for delinquent land taxes, by action in rem by County Treasurer of Ashtabula County, Ohio.

Public notice is hereby given that on the 30th day of September, 2024, the County Treasurer of Ashtabula County, Ohio filed a complaint in the Common Pleas Court of Ashtabula County, Ohio, for the foreclosure of liens for delinquent taxes, assessments, charges, penalties and interest against certain real property situated in such county, as described in the complaint.

The object of the action is to obtain from the Court a Judgment foreclosing the tax lien against such real estate and ordering the sale of such real estate for the satisfaction of the tax liens on it.

Such action is brought against the real property only and no personal judgment shall be entered in it. However, if pursuant to the action, the property is sold for an amount that is less than the amount of delinquent taxes, assessments, charges, penalties, and interest against it, the Court, in a separate order, may enter a deficiency judgment against the owner of record of a parcel for the amount of the difference; if that

owner of record is a corporation, the Court may enter the deficiency judgment against the stockholder holding a majority of the corporation's stock.

The permanent parcel number of each parcel included in such action; the full street address of the parcel, if available; a description of the parcel as set forth in the associated delinquent land tax certificate or master list of delinquent tracts; a statement of the amount of the taxes, assessments, charges, penalties, and interest due and unpaid on the parcel; the name and address of the last known owner of the parcel as they appear on the general tax list; and the names and addresses of each lien holder and other person with an interest in the parcel identified in a statutorily required title search relating to the parcel; all as more fully set forth in the complaint are as follows:

a. Permanent Parcel Number(s):

#1 26-021-00-180-00

b. Last known record owner(s) of the parcel(s):

#1 MICHAEL SCHAAB

c. Address(es) of the parcel(s):

**#1 82 E WALNUT STREET
JEFFERSON, OH**

d. Persons or entities with a potential interest in the parcel(s):

**MICHAEL SCHAAB
ADDRESS UNKNOWN**

**JANE DOE, UNKNOWN SPOUSE
OF MICHAEL SCHAAB
ADDRESS UNKNOWN**

**DISCOVER BANK
C/O DISCOVER PRODUCTS INC.
6500 NEW ALBANY ROAD EAST
NEW ALBANY, OH 43054**

e. Taxes, interest, penalties, and assessments due: **\$6,454.72.**

"The complete legal description of parcel(s) so described herein can be obtained in the office of the Ashtabula County Clerk of Courts Ashtabula County Courthouse, 25 W. Jefferson Street, Jefferson, Ohio 44047 listed under case number **2024-CV-725.**

Any person owning or claiming any right, title or interest in or lien upon, any parcel of real property above listed may file an answer in such action setting forth the nature and amount of interest owned or claimed and any defense or objection to the foreclosure. Such answer shall be filed in the office of the undersigned Clerk of the Court, and a copy of the answer shall be served on the Prosecuting Attorney, on or before the _____ day of _____ 202___. (This date must be 28 days after the date of final publication of this notice).

If no answer is filed with respect to a parcel listed in the complaint, on or before the date specified as the last day for filing an answer, a judgment of foreclosure will be taken by default as to that parcel. Any parcel as to which a foreclosure is taken by default shall be sold for the satisfaction of the taxes, assessments, charges, penalties, interest, and costs incurred in the foreclosure proceeding, which are due and unpaid.

At any time prior to the filing of any entry of confirmation of sale, any owner, lien holder, or other person with an interest in a parcel listed in the complaint may redeem the parcel by tendering to the County Treasurer, at the office of the Ashtabula County Prosecuting Attorney, the amount of the taxes, assessments, charges, penalties, and interest due and unpaid on the parcel, together with all costs incurred in the proceeding instituted against the parcel under Ohio Revised Code, Section 5721.18. Upon the filing of any entry of confirmation of sale, subject to all existing oil, gas and mineral leases, there shall be no further equity or redemption. After the filing of any such entry, any person claiming any right, title or interest in, or lien upon, any parcel shall be forever barred and foreclosed of any such right, title, or interest in, lien upon, and any equity of redemption in such parcel.

IN THE EVENT THAT SUCH PARCEL IS OFFERED FOR SALE BY THE PLAINTIFF, ALL PROSPECTIVE PURCHASERS ARE RESPONSIBLE FOR LOCATING AND IDENTIFYING SAME PARCEL. ALL SALES ARE FINAL AND PLAINTIFF

GIVES NO WARRANTY EITHER EXPRESS OR IMPLIED AS TO THE CONDITION OF THE PARCEL OR ANY IMPROVEMENTS THEREON. PLAINTIFF WILL ENFORCE ALL SUCCESSFUL BIDS. IF THE PROPERTY IS SUBJECT TO RECOUPMENT, ANY AMOUNTS DUE FROM SAID RECOUPMENT, IF ANY, WILL BE THE RESPONSIBILITY OF THE BUYER.

Said notice shall be published once a week for three (3) consecutive weeks.



GENE C. BARRETT, (#0078602)
Assistant Prosecutor
Attorney for the Plaintiff
25 West Jefferson Street
Jefferson, Ohio 44047-1092
(440) 576-3734

APRIL T. DANIELS,
CLERK OF COURTS
25 West Jefferson Street
Jefferson, OH 44047-1092
(440) 576-3639

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ASHTABULA COUNTY, OHIO

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Plaintiff,)
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MICHAEL SCHAAB, et al.)
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Defendants.)

CASE NO.: 2024-CV-725
JUDGE: THOMAS E. HARRIS
AFFIDAVIT

STATE OF OHIO)
) SS
COUNTY OF ASHTABULA)

2024 NOV 25 AM 8:49
CLERK OF COURTS
COMMON PLEAS COURT
ASHTABULA CO OH

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AFFIDAVIT FOR PUBLICATION SERVICE

I, Gene C. Barrett, being first duly sworn, do depose
and state as follows:

1. I am an Assistant Ashtabula County Prosecutor and the attorney for the Ashtabula County Treasurer.
2. I have personally researched public records and have not been able to obtain a valid current address for MICHAEL SCHAAB AND JANE DOE, UNKNOWN SPOUSE OF MICHAEL SCHAAB.
3. There may be other parties listed in this complaint that we do not have the ability to ascertain a valid address for.

4. I as a result determined that service upon said defendant(s) could only be obtained ultimately only by publication because I did not know the current residence address and could not with reasonable diligence ascertain same.
5. Publication service is specifically authorized pursuant to ORC 323.25 and ORC 2703.14 since this is an action to enforce a tax lien on real property, and I do not know the current residence address of said defendant.

FURTHER AFFIANT SAYETH NAUGHT.



GENE C. BARRETT

Sworn to and subscribed before me, by the above named GENE C. BARRETT, on this 25TH day of November, 2024.



NOTARY PUBLIC
Sharon R. Millard

My commission expires:
Residence Co. - Ashtabula
State of Ohio
April 28, 2027