



FILED
 WOOD COUNTY CLERK
 COMMON PLEAS COURT
 2014 OCT 10 2:29
 2014 OCT 10 PM 2:29

CINDY A. HOFNER

IN THE COURT OF COMMON PLEAS
 WOOD COUNTY, OHIO

D & W Development Ltd.
 2509 Broadway Street
 Toledo, OH 43609

Plaintiff,

v.

Kristie L. Koester
 12436 Ft. Meigs Blvd.
 Perrysburg, OH 43551

and

Harold J. Craig
 12436 Ft. Meigs Blvd.
 Perrysburg, OH 43551

Defendants.

* Case No.

*
 * Judge

2014 CV 05 20
JUDGE POLLEX

* COMPLAINT

*
 *

* Dawn E. Sanderson (0072299)
 * Sanderson Law Offices LLC
 * 2509 Broadway Street
 * Toledo, OH 43609
 * Telephone: (419) 872-5695
 * Facsimile: (419) 872-4476
 * Attorney for Plaintiff

Now comes plaintiff, by and through its attorney, and states the following for its
 Complaint against defendants:

1. On April 28, 2009, defendants, Kristie L. Koester and Harold J. Craig, executed and delivered to D & W Development Ltd., a promissory note with a maturity date of May 1, 2014 ("Note"), a copy of which is attached hereto and marked "Exhibit A."

2. Said note was secured by a mortgage for the property located at 12436 Ft. Meigs Blvd., Perrysburg, OH 43551.

3. On May 1, 2014 defendants executed a Mortgage Note Modification Agreement modifying the Note. A copy of the Mortgage Note Modification is attached as Exhibit B.

3. Defendants, have defaulted in the payment of the Note and owe to plaintiff the sum of \$41,940.45 with interest thereon from September 1, 2014 at the rate of 6.50% per annum, plus late charges and advances as provided in the Note.

WHEREFORE, Plaintiff demands judgment on against defendants, Kristie L. Koester and Harold J. Craig, in the sum of \$41,940.45 with interest thereon from September 1, 2014 at the rate of 6.50% per annum, plus late charges and advances as provided in the Note, and for attorney's fees and costs of this action.

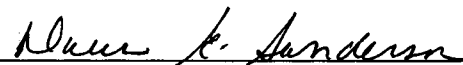
Respectfully submitted,


Dawn E. Sanderson
Attorney for Plaintiff

PRAECIPE

TO THE CLERK:

Please issue a Summons and serve the same upon defendants, along with a copy of the Complaint, by certified mail to the address in the caption and thereafter by regular mail if certified mail is refused or unclaimed.



MORTGAGE NOTE

April 28, 2009

Perrysburg, Ohio

1. BORROWERS' PROMISE TO PAY

Kristie L. Koester and Harold J. Craig ("Borrower") promise to pay \$45,000.00 (this amount is called "the principal"), plus interest, to the order of the Lender. The Lender is D & W Development Ltd., an Ohio limited liability company, 2509 Broadway Street, Toledo, Ohio 43609.

2. INTEREST

Interest will be charged on unpaid principal until the full amount of principal has been paid. Borrower will pay interest at a yearly rate of 6.5% in accordance with the Mortgage Amortization schedule attached hereto and incorporated herein.

3. PAYMENT & ACCELERATION

Borrower will pay the principal and interest in the amount of \$284.43 per month commencing on June 1, 2009, with the final payment being due on May 1, 2014, which is called the "maturity date." In the event of Borrower's death or default, the entire amount due hereunder shall become immediately due and payable to Lender.

4. BORROWERS' FAILURE TO PAY AS REQUIRED

(A) Default

If Borrower does not pay the full amount due, or fails to make monthly payments required herein, Borrower will be in default.

(B) No Waiver by Lender

Even if, at a time when Borrower is in default, the Lender does not require Borrower to pay immediately in full, the Lender will still have the right to do so at any later time.

5. OBLIGATIONS OF PERSONS UNDER THIS NOTE


This Note shall be binding upon the Borrower and Borrower's legal representatives, successors and assigns.


6. WAIVERS

Borrower waives any right to require the Lender to demand payment of amounts due. Borrower waives any right to require the Lender to give any notice of default by Borrower or the right to cure any default.

7. SECURED NOTE

In addition to the protections given to the Lender under this Note, a Mortgage (the "Security Instrument"), dated that same date as this Note, protects the Lender from possible losses which might result if Borrower does not keep the promises which it makes in this Note. That Security Instrument describes how and under what additional conditions Borrower may be required to make immediate payment in full of all amounts owed under this Note or surrender the collateral described therein.


Kristie L. Koester


Harold J. Craig

MORTGAGE NOTE MODIFICATION AGREEMENT

May 1, 2014

Perrysburg, Ohio

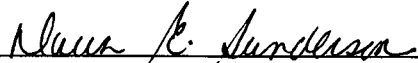
WHEREAS, Kristie L. Koester and Harold J. Craig ("Borrower") and D & W Development Ltd., an Ohio limited liability company ("Lender") are parties to a certain Mortgage Note, dated April 28, 2009; and

WHEREAS, Borrower and Lender have reached a mutual agreement for the modification of certain terms of said Mortgage Note;

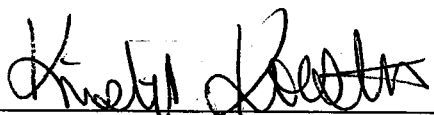
NOW THEREFORE, for good and valuable consideration, Borrower and Lender agree as follows:

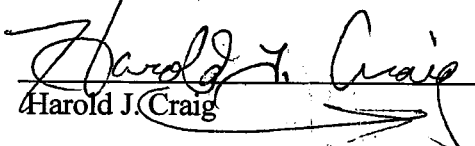
1. The Mortgage Note maturity date is modified to April 30, 2015, upon said date the principal balance is due and payable in full to Lender.
2. Commencing May 1, 2014, the monthly amount due for principal and interest is modified to \$500.00, first due on May 1, 2014 and thereafter on the first day of each month until April 30, 2015, in accordance with the modified mortgage amortization schedule attached hereto and incorporated herein.
3. Also commencing May 1, 2014, Borrower shall pay monthly the sum of \$50.00 as and for real estate property tax escrow and Lender shall be responsible to pay in full property taxes as the same become due and payable. Any sums paid by Lender in excess of escrowed payments shall be added to the principal loan balance.
4. The said Mortgage Note and the Closed End Mortgage recorded at OR 2900 PG1093 continue to remain in full force and effect, enforceable according to their terms, excepting only as specifically modified herein.
5. The said Mortgage Note and the said Closed End Mortgage are not to be deemed satisfied or cancelled by this Mortgage Note Modification Agreement, which is a modification only of the maturity date, payment amount and amortization schedule of the said instruments.

D&W DEVELOPMENT LTD.


Dawn E. Sanderson, Member


Walter J. Celley, Member


Kristie L. Koester


Harold J. Craig

Prepared For:	Craig/Koester	Years :	5.00
Re:		Payment :	500.00
Principal:	43017.12	Payment Frequency:	Monthly
Rate:	6.5000	Interest Factor	1.005416667
Compounded:	12		

Date	Payment Number	Total Payment	Interest Payment	Principal Payment	Balance Loan	Total Int Per Year	Per Diem
Jun/ 1/2014	1	500.00	233.01	266.99	42750.13	233.01	7.67
Jul/ 1/2014	2	500.00	231.56	268.44	42481.69	464.57	7.62
Aug/ 1/2014	3	500.00	230.11	269.89	42211.80	694.68	7.57
Sep/ 1/2014	4	500.00	228.65	271.35	41940.45	923.33	7.52
Oct/ 1/2014	5	500.00	227.18	272.82	41667.63	1150.51	7.47
Nov/ 1/2014	6	500.00	225.70	274.30	41393.33	1376.21	7.43
Dec/ 1/2014	7	500.00	224.21	275.79	41117.54	1600.42	7.38
Dec/31/2014					Sub-Total	1600.42	
Jan/ 1/2015	8	500.00	222.72	277.28	40840.26	222.72	7.33
Feb/ 1/2015	9	500.00	221.22	278.78	40561.48	443.94	7.28
Mar/ 1/2015	10	500.00	219.71	280.29	40281.19	663.65	7.23
Apr/ 1/2015	11	500.00	218.19	281.81	39999.38	881.84	7.18
May/ 1/2015	12	500.00	216.66	283.34	39716.04	1098.50	7.13
Jun/ 1/2015	13	500.00	215.13	284.87	39431.17	1313.63	7.08
Jul/ 1/2015	14	500.00	213.59	286.41	39144.76	1527.22	7.03
Aug/ 1/2015	15	500.00	212.03	287.97	38856.79	1739.25	6.98
Sep/ 1/2015	16	500.00	210.47	289.53	38567.26	1949.72	6.92
Oct/ 1/2015	17	500.00	208.91	291.09	38276.17	2158.63	6.87
Nov/ 1/2015	18	500.00	207.33	292.67	37983.50	2365.96	6.82
Dec/ 1/2015	19	500.00	205.74	294.26	37689.24	2571.70	6.77
Dec/31/2015					Sub-Total	2571.70	
Jan/ 1/2016	20	500.00	204.15	295.85	37393.39	204.15	6.72
Feb/ 1/2016	21	500.00	202.55	297.45	37095.94	406.70	6.66
Mar/ 1/2016	22	500.00	200.94	299.06	36796.88	607.64	6.61
Apr/ 1/2016	23	500.00	199.32	300.68	36496.20	806.96	6.56
May/ 1/2016	24	500.00	197.69	302.31	36193.89	1004.65	6.50
Jun/ 1/2016	25	500.00	196.05	303.95	35889.94	1200.70	6.45
Jul/ 1/2016	26	500.00	194.40	305.60	35584.34	1395.10	6.40
Aug/ 1/2016	27	500.00	192.75	307.25	35277.09	1587.85	6.34
Sep/ 1/2016	28	500.00	191.08	308.92	34968.17	1778.93	6.29
Oct/ 1/2016	29	500.00	189.41	310.59	34657.58	1968.34	6.23
Nov/ 1/2016	30	500.00	187.73	312.27	34345.31	2156.07	6.18
Dec/ 1/2016	31	500.00	186.04	313.96	34031.35	2342.11	6.12
Dec/31/2016					Sub-Total	2342.11	
Jan/ 1/2017	32	500.00	184.34	315.66	33715.69	184.34	6.07
Feb/ 1/2017	33	500.00	182.63	317.37	33398.32	366.97	6.01
Mar/ 1/2017	34	500.00	180.91	319.09	33079.23	547.88	5.95
Apr/ 1/2017	35	500.00	179.18	320.82	32758.41	727.06	5.90
May/ 1/2017	36	500.00	177.44	322.56	32435.85	904.50	5.84
Jun/ 1/2017	37	500.00	175.69	324.31	32111.54	1080.19	5.78
Jul/ 1/2017	38	500.00	173.94	326.06	31785.48	1254.13	5.72
Aug/ 1/2017	39	500.00	172.17	327.83	31457.65	1426.30	5.67
Sep/ 1/2017	40	500.00	170.40	329.60	31128.05	1596.70	5.61
Oct/ 1/2017	41	500.00	168.61	331.39	30796.66	1765.31	5.55
Nov/ 1/2017	42	500.00	166.82	333.18	30463.48	1932.13	5.49
Dec/ 1/2017	43	500.00	165.01	334.99	30128.49	2097.14	5.43
Dec/31/2017					Sub-Total	2097.14	
Jan/ 1/2018	44	500.00	163.20	336.80	29791.69	163.20	5.37
Feb/ 1/2018	45	500.00	161.37	338.63	29453.06	324.57	5.31
Mar/ 1/2018	46	500.00	159.54	340.46	29112.60	484.11	5.25
Apr/ 1/2018	47	500.00	157.69	342.31	28770.29	641.80	5.19
May/ 1/2018	48	500.00	155.84	344.16	28426.13	797.64	5.13
Jun/ 1/2018	49	500.00	153.97	346.03	28080.10	951.61	5.07
Jul/ 1/2018	50	500.00	152.10	347.90	27732.20	1103.71	5.01
Aug/ 1/2018	51	500.00	150.22	349.78	27382.42	1253.93	4.94
Sep/ 1/2018	52	500.00	148.32	351.68	27030.74	1402.25	4.88
Oct/ 1/2018	53	500.00	146.42	353.58	26677.16	1548.67	4.82
Nov/ 1/2018	54	500.00	144.50	355.50	26321.66	1693.17	4.76
Dec/ 1/2018	55	500.00	142.58	357.42	25964.24	1835.75	4.69
Dec/31/2018					Sub-Total	1835.75	
Jan/ 1/2019	56	500.00	140.64	359.36	25604.88	140.64	4.63
Feb/ 1/2019	57	500.00	138.69	361.31	25243.57	279.33	4.56
Mar/ 1/2019	58	500.00	136.74	363.26	24880.31	416.07	4.50
Apr/ 1/2019	59	500.00	134.77	365.23	24515.08	550.84	4.44
May/ 1/2019	60	500.00	132.79	367.21	24147.87	683.63	4.37
Jun/ 1/2019	61	500.00	130.80	369.20	23778.67	814.43	4.31
Jul/ 1/2019	62	500.00	128.80	371.20	23407.47	943.23	4.24
Aug/ 1/2019	63	500.00	126.79	373.21	23034.26	1070.02	4.17
Sep/ 1/2019	64	500.00	124.77	375.23	22659.03	1194.79	4.11
Oct/ 1/2019	65	500.00	122.74	377.26	22281.77	1317.53	4.04
Nov/ 1/2019	66	500.00	120.69	379.31	21902.46	1438.22	3.97
Dec/ 1/2019	67	500.00	118.64	381.36	21521.10	1556.86	3.91
Dec/31/2019					Sub-Total	1556.86	
Jan/ 1/2020	68	500.00	116.57	383.43	21137.67	116.57	3.84
Feb/ 1/2020	69	500.00	114.50	385.50	20752.17	231.07	3.77
Mar/ 1/2020	70	500.00	112.41	387.59	20364.58	343.48	3.70
Apr/ 1/2020	71	500.00	110.31	389.69	19974.89	453.79	3.63
May/ 1/2020	72	500.00	108.20	391.80	19583.09	561.99	3.56
Jun/ 1/2020	73	500.00	106.08	393.92	19189.17	668.07	3.49

Prepared For:	Craig/Koester	Years :	5.00
Re:		Payment :	500.00
Principal:	43017.12	Payment Frequency:	Monthly
Rate:	6.5000	Interest Factor	1.005416667
Compounded:	12		

Date	Payment Number	Total Payment	Interest Payment	Principal Payment	Balance Loan	Total Int Per Year	Per Diem
Jul/ 1/2020	74	500.00	103.94	396.06	18793.11	772.01	3.42
Aug/ 1/2020	75	500.00	101.80	398.20	18394.91	873.81	3.35
Sep/ 1/2020	76	500.00	99.64	400.36	17994.55	973.45	3.28
Oct/ 1/2020	77	500.00	97.47	402.53	17592.02	1070.92	3.21
Nov/ 1/2020	78	500.00	95.29	404.71	17187.31	1166.21	3.14
Dec/ 1/2020	79	500.00	93.10	406.90	16780.41	1259.31	3.07
Dec/31/2020					Sub-Total	1259.31	
Jan/ 1/2021	80	500.00	90.89	409.11	16371.30	90.89	2.99
Feb/ 1/2021	81	500.00	88.68	411.32	15959.98	179.57	2.92
Mar/ 1/2021	82	500.00	86.45	413.55	15546.43	266.02	2.85
Apr/ 1/2021	83	500.00	84.21	415.79	15130.64	350.23	2.77
May/ 1/2021	84	500.00	81.96	418.04	14712.60	432.19	2.70
Jun/ 1/2021	85	500.00	79.69	420.31	14292.29	511.88	2.62
Jul/ 1/2021	86	500.00	77.42	422.58	13869.71	589.30	2.55
Aug/ 1/2021	87	500.00	75.13	424.87	13444.84	664.43	2.48
Sep/ 1/2021	88	500.00	72.83	427.17	13017.67	737.26	2.40
Oct/ 1/2021	89	500.00	70.51	429.49	12588.18	807.77	2.32
Nov/ 1/2021	90	500.00	68.19	431.81	12156.37	875.96	2.25
Dec/ 1/2021	91	500.00	65.85	434.15	11722.22	941.81	2.17
Dec/31/2021					Sub-Total	941.81	
Jan/ 1/2022	92	500.00	63.50	436.50	11285.72	63.50	2.09
Feb/ 1/2022	93	500.00	61.13	438.87	10846.85	124.63	2.01
Mar/ 1/2022	94	500.00	58.75	441.25	10405.60	183.38	1.94
Apr/ 1/2022	95	500.00	56.36	443.64	9961.96	239.74	1.86
May/ 1/2022	96	500.00	53.96	446.04	9515.92	293.70	1.78
Jun/ 1/2022	97	500.00	51.54	448.46	9067.46	345.24	1.70
Jul/ 1/2022	98	500.00	49.12	450.88	8616.58	394.36	1.62
Aug/ 1/2022	99	500.00	46.67	453.33	8163.25	441.03	1.54
Sep/ 1/2022	100	500.00	44.22	455.78	7707.47	485.25	1.46
Oct/ 1/2022	101	500.00	41.75	458.25	7249.22	527.00	1.38
Nov/ 1/2022	102	500.00	39.27	460.73	6788.49	566.27	1.30
Dec/ 1/2022	103	500.00	36.77	463.23	6325.26	603.04	1.21
Dec/31/2022					Sub-Total	603.04	
Jan/ 1/2023	104	500.00	34.26	465.74	5859.52	34.26	1.13
Feb/ 1/2023	105	500.00	31.74	468.26	5391.26	66.00	1.05
Mar/ 1/2023	106	500.00	29.20	470.80	4920.46	95.20	0.97
Apr/ 1/2023	107	500.00	26.65	473.35	4447.11	121.85	0.88
May/ 1/2023	108	500.00	24.09	475.91	3971.20	145.94	0.80
Jun/ 1/2023	109	500.00	21.51	478.49	3492.71	167.45	0.71
Jul/ 1/2023	110	500.00	18.92	481.08	3011.63	186.37	0.63
Aug/ 1/2023	111	500.00	16.31	483.69	2527.94	202.68	0.54
Sep/ 1/2023	112	500.00	13.69	486.31	2041.63	216.37	0.46
Oct/ 1/2023	113	500.00	11.06	488.94	1552.69	227.43	0.37
Nov/ 1/2023	114	500.00	8.41	491.59	1061.10	235.84	0.28
Dec/ 1/2023	115	500.00	5.75	494.25	566.85	241.59	0.19
Dec/31/2023					Sub-Total	241.59	
Jan/ 1/2024	116	500.00	3.07	496.93	69.92	3.07	0.11
Feb/ 1/2024	117	70.30	0.38	69.92	0.00	3.45	0.02

Final Payment	0.00
Principal Paid to Date	43017.12
Interest Paid to Date	15053.18
Total Paid to Date	58070.30

E. & O.E.

REPORT SELECTIONS - Mortgage Amortization

Layout Template: All
 Requested by: DES
 Finished: Sunday, April 27, 2014 at 04:53:13 PM
 Date Range: From Feb/ 1/2014
 Name: Craig/Koester
 Re: All
 Principal: 43017.12
 Rate: 6.50
 Payment: 500.00
 Ver: 13.0 SP2 (13.0.20140210)