

RESOLUTION NO. CR-01-02

A RESOLUTION TO GRANT AN EASEMENT TO OHIO BELL TELEPHONE COMPANY dba
AMERITECH OHIO, INC. LOCATED SOUTH OF SOUTHWEST BLVD. AND WEST OF DEMOREST

WHEREAS, the City of Grove City owns a parcel in Westgrove, Section 4, known as Westgrove Park;
and

WHEREAS, a portion of this parcel is needed for telephone service for the area; and

WHEREAS, it has been requested that the City grant an easement for a portion of ground for equipment
and access to the said portion.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY,
STATE OF OHIO, THAT:

SECTION 1. There is hereby granted an Easement to Ohio Bell Telephone Company, dba Ameritech
Ohio, Inc., as shown on the attached Exhibit "A".

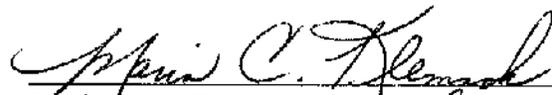
SECTION 2. The City Administrator is hereby authorized to sign the necessary documents for the
granting of said easements, as prepared by the City Attorney.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

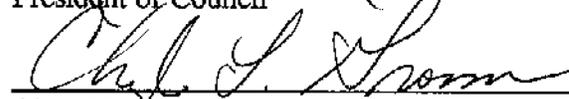
Passed: 01-07-02
Effective: 01-07-02

Attest:

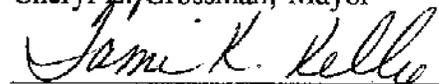
I Certify that this resolution is correct as to form.



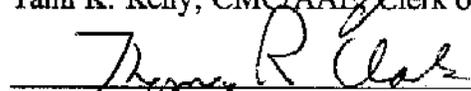
President of Council



Cheryl L. Grossman, Mayor



Tami K. Kelly, CMC/AAE, Clerk of Council



Thomas R. Clark, Director of Law

CL-01-02
EXHIBIT "A"

AMERITECH NON-EXCLUSIVE EASEMENT

Undertaking No. 1152304-59108

Parcel Number: 040-001758

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned (Grantor) **THE CITY OF GROVE CITY** hereby grants and conveys to Ohio Bell Telephone Company a.k.a. Ameritech Ohio Inc., an Ohio Corporation, and its affiliates and licensees, successors and assigns (collectively "Grantees") a non-exclusive easement in, under, and across the Easement Area (described below), for the purposes of and in order to construct, reconstruct, modify, maintain, operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services and/or any other services or uses for which such facilities may be used including, above ground equipment cabinets or enclosures and support posts or pads, pedestals, or other markers post, and signs, and other related or useful equipment, fixtures, including underground messenger strand, cables, wires, enclosures, appurtenances and facilities, together with the right to have commercial electrical service extended across the Property (described below) and Easement Area to provide service to such facilities and the right of ingress and egress across the Property and Easement Area for the purpose of access to and use of the easement granted herein.

The property is legally described as being situated in the State of Ohio, County of Franklin, and City of Grove City, and being a 3.00 acre tract of land more or less.

The Property is legally described on Exhibit "A" attached hereto and made a part hereof.

Being the same property as recorded in: O.R. 12249 B03 Franklin County Records.

The easement area as shown on exhibit "A" attached hereto and made a part hereof.

The Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

Grantee hereby agrees to restore all property disturbed by its activities in use of the easement to the condition existing prior to the disturbance.

Grantee shall have the right to remove or trim such trees and brush in the Easement Area as is necessary to exercise the rights conveyed herein.

The Grantor shall not construct improvements in the Easement Area or change the finish grade of the Easement Area without the consent of the Grantee.

This Easement is binding upon and shall inure to the benefit of the heirs, successors, assigns, and licensees of the parties hereto.

Signed and Acknowledged
in the Presence of:

(Witness Signature)

GRANTOR (Signature)

(Witness Printed)

(Grantor Print Name & Title if Applicable)

(Witness Signature)

GRANTOR (Signature)

(Witness Printed)

(Grantor Print Name & Title if Applicable)

STATE OF OHIO
COUNTY OF _____

Personally appeared before me, a Notary Public, in and for said County and State, this _____ day of _____, 20____, _____ who acknowledged the execution of the above easement.

Notary Public Signature

Notary Public Printed

My Commission Expires _____

Ameritech Ohio, Inc.
150 East Gay Street
Columbus, Ohio 43215

This document was drafted by the Ameritech Legal Department, 225 W. Randolph Street, Chicago, IL 60606

Fishel Number **990001** 1152304-59108 KS

EXHIBIT "A"

DESCRIPTION OF AN AMERITECH NON-EXCLUSIVE EASEMENT (The Ohio Bell Telephone Company)

Situated in the City of Grove City, County of Franklin, State of Ohio, and being a non-exclusive easement out of a parcel of land known as Parcel Number 040-001758 of Plat Book 73, Page 10 of the Recorder's Office Franklin County, Ohio and conveyed to The City of Grove City (hereon referred to as grantor) as recorded in OR Number 12249B03 of the Recorder's Office Franklin County, Ohio and being more particularly described as follows:

Commencing for reference at an iron pin found on the grantor's north line being the east right-of-way line of Red Oak Street (60' right-of-way);

Thence S 86° 10' 18" E 110.00 feet along the grantor's north line to an iron pin found at the grantor's northeast corner being the POINT OF BEGINNING of the non-exclusive Ameritech easement hereon described:

Thence S 04° 23' 41" W 30.20 feet along the grantor's east line to the southeast corner of said easement;

Thence through the grantor's land on new division lines the following two courses;

N 85° 36' 19" W 20.00 feet to the southwest corner of said easement;

N 04° 23' 41" E 30.00 feet to the northwest corner of said easement;

Thence S 86° 10' 18" E 20.00 feet along the grantor's north line to the northeast corner of said easement being the POINT OF BEGINNING of the non-exclusive easement herein described and containing 600 ± square feet of land.

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Commencing for reference at an iron pin found on the grantor's north line being the east right-of-way line of Red Oak Street (60' right-of-way);

Thence S 86° 10' 18" E 110.00 feet along the grantor's north line to an iron pin found at the grantor's northeast corner;

Thence S 04° 23' 41" W 30.20 feet along the grantor's east line to the POINT OF BEGINNING of the non-exclusive Ameritech easement hereon described:

Thence S 04° 23' 41" W 179.46 feet along the grantor's east line to the southeast corner of said easement;

Thence N 86° 10' 18" W 5.00 feet along the grantor's south line to the southwest corner of said easement;

Thence N 04° 23' 41" E 179.51 feet to the northwest corner of said easement;

Thence S 85° 36' 19" E 5.00 feet to the northeast corner of said easement being the POINT OF BEGINNING of the non-exclusive easement herein described and containing 602 ± square feet of land.