

RESOLUTION NO. CR-02-03

A RESOLUTION TO GRANT A SANITARY SEWER EASEMENT TO THE
CITY OF GROVE CITY LOCATED ON THE SOUTH SIDE OF HOME ROAD

WHEREAS, the City of Grove City owns property known as Gantz Park; and

WHEREAS, a portion of this parcel is needed for sanitary sewer service to the Village of Gantz Park.

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

SECTION 1. There is hereby granted a Sanitary Sewer Easement to the City of Grove City, Ohio, 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 easement(s), as prepared by the City Attorney.

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

Passed: 01-06-03
Effective: 01-06-03

Attest:

I Certify that this resolution is correct as to form.



Maria C. Klemack, President of Council



Cheryl L. Grossman, Mayor



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



Thomas R. Clark, Director of Law

CR-02-03

Exhibit "A"

DEED OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS that, The City of Grove City, an Ohio Municipal Corporation, by Richard L. Stage, City Administrator (hereinafter called "Grantor"), in consideration of One Dollar (\$1.00) and other good and valuable consideration to it paid by the CITY OF GROVE CITY, OHIO, an Ohio Municipal Corporation ("Grantee" herein), the receipt of which is hereby acknowledged, does hereby GRANT and RELEASE to the CITY OF GROVE CITY, OHIO, its successors and assigns, the perpetual non-exclusive right and easement in, through, over and under the following described real estate for the purpose of constructing, operating, installing, maintaining, inspecting, repairing, removing, renewing and replacing a sanitary sewer and appurtenances thereto, together with the right of access to said easement area for said purpose.

Being that strip of land situated in the State of Ohio, County of Franklin, City of Grove City, described on Exhibit "A", and shown graphically on the Exhibit "B" attached hereto and made a part hereof.

The granting of this easement does not preclude the use of said easement area by storm sewer, water line, gas, telephone, electric or television cable facilities.

The Deed of Easement is executed, granted and delivered by Grantor, for itself and its successors and assigns, and accepted by Grantee, for itself and its successors and assigns, upon the following condition, to wit:

The rights granted herein shall not be construed to interfere with or restrict the use of the premises with respect to the construction and maintenance of property improvements in, along and over the premises herein described so long as the same are constructed so as not to impair the strength of or interfere with the use and maintenance of the facilities herein provided for.

TO HAVE AND TO HOLD, said premises unto said Grantee, the CITY OF GROVE CITY, OHIO, its successors and assigns forever, for the uses and purposes hereinabove described.

IN WITNESS WHEREOF, The City of Grove City, an Ohio Municipal Corporation, by Richard L. Stage, City Administrator, has hereunto set his hand this _____ day of December, 2002.

The City of Grove City, Ohio

By _____
Richard L. Stage, City Administrator

STATE OF OHIO
COUNTY OF FRANKLIN,

BE IT REMEMBERED, that on this _____ day of _____, 2002, before me, the subscriber, a Notary Public in and for said State and County, personally came the above named, The City of Grove City, an Ohio Municipal Corporation, by Richard L. Stage, City Administrator, Grantor in the foregoing instrument, who under penalty of perjury in violation of Section 2921.11 of the Revised Code represented to me to be said persons.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year first aforesaid.

Notary Public

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This instrument was prepared by:
Thomas R. Clark
Attorney at Law
3083 Columbus Street
Grove City, Ohio 43123

DESCRIPTION OF A PROPOSED TWENTY (20) FOOT WIDE
(0.133 ACRE) SANITARY SEWER EASEMENT AREA
LOCATED ON THE SOUTH SIDE OF HOME ROAD,
EAST OF MCCOMB ROAD EAST AND SOUTH OF INTERSTATE 270,
IN THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Situated in the State of Ohio, County of Franklin, City of Grove City, being in Virginia Military Survey No. 6839 and being a strip of land twenty feet in width, containing 0.133 acre of land, more or less, said 0.133 acre being out of that 9.712 acre tract of land described in the deed to Grove City, Ohio, of record in Deed Book 3308, Page 422, Recorder's Office, Franklin County, Ohio, said 0.133 acre area being more particularly described as follows:

Beginning, for reference, at a 3/4-inch (I.D.) iron pipe found at the centerline intersection of Home Road (50.00 feet in width) and McComb Road East (variable width); thence $S78^{\circ}17'36''E$, with the centerline of said Home Road, a distance of 45.07 feet to a P.K. nail found; thence $S77^{\circ}16'47''E$, with the centerline of said Home Road, a distance of 543.41 feet to an angle point in said Home Road; thence $S76^{\circ}06'38''E$, a distance of 395.58 feet to a point; thence $S13^{\circ}53'22''W$, a distance of 50.00 feet to the true point of beginning in the southerly right-of-way line of said Home Road;

Thence the following four (4) courses and distances:

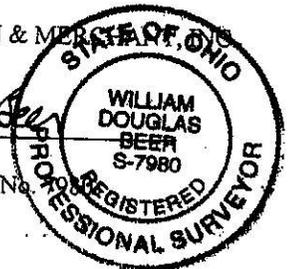
1. $S76^{\circ}06'38''E$, a distance of 20.50 feet to a point;
2. $S01^{\circ}15'20''W$, a distance of 287.24 feet to a point;
3. $N88^{\circ}44'40''W$, a distance of 20.00 feet to a point;
4. $N01^{\circ}15'20''E$, a distance of 291.72 feet to the true point of beginning and containing 0.133 acre of land, more or less.

We hereby state that the foregoing description was prepared from information obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in January of 2002.

The bearings given in the foregoing description correspond to the bearing of $N77^{\circ}16'47''W$, as given for the centerline of Home Road, of record in Official Record 21956C10, Recorder's Office, Franklin County, Ohio.

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers

William D. Beer
William D. Beer
Professional Surveyor No. 5-7980

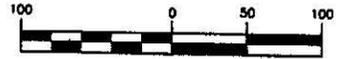


BAUER, DAVIDSON & MERCHANT, INC.

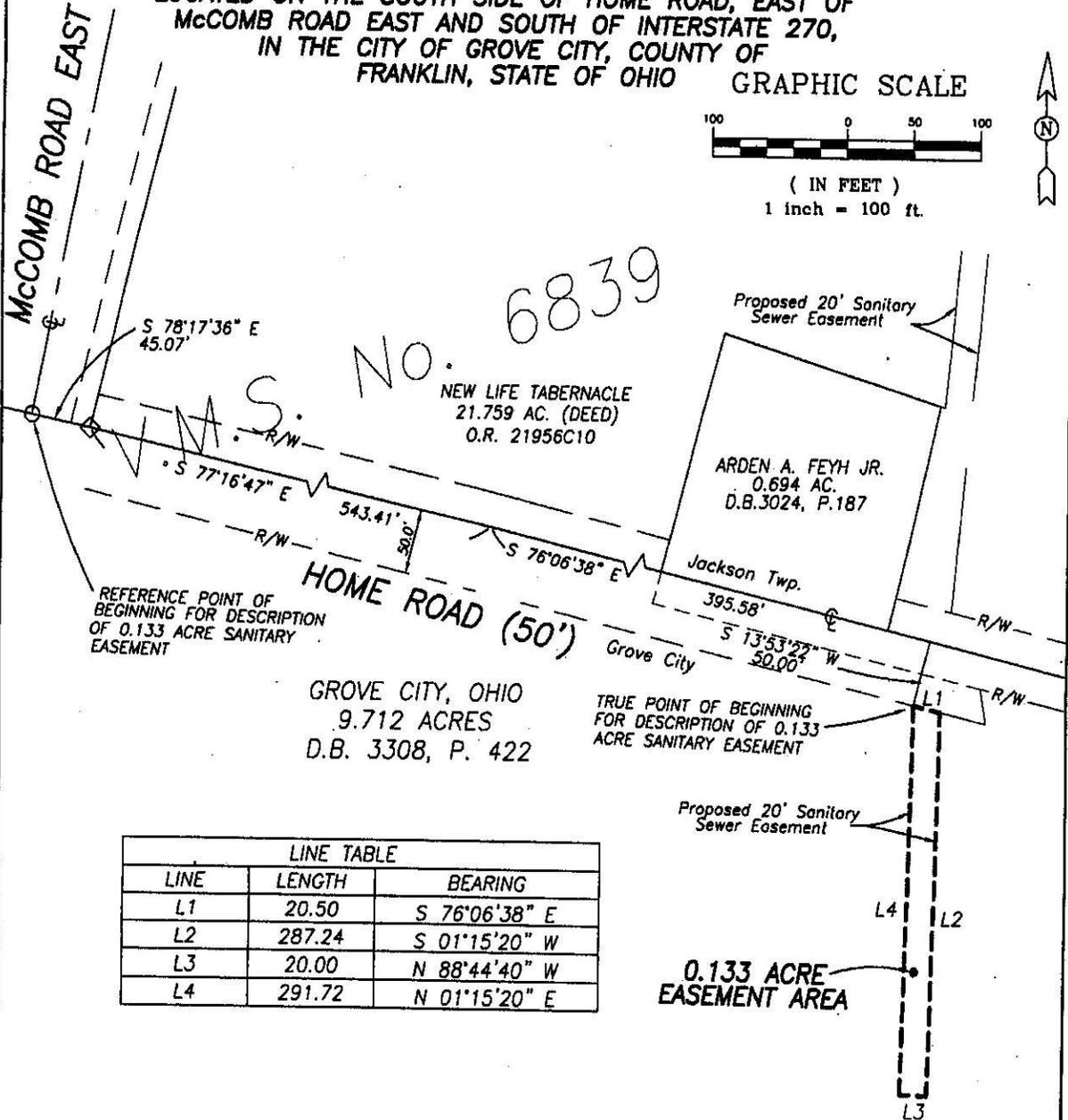
CONSULTING ENGINEERS
 255 GREEN MEADOWS DRIVE SOUTH WESTERVILLE, OHIO 43081
 PHONE: 614-846-3393 FAX: 614-846-4575

EXHIBIT OF A PROPOSED TWENTY (20) FOOT WIDE
 (0.133 ACRE) SANITARY SEWER EASEMENT AREA
 LOCATED ON THE SOUTH SIDE OF HOME ROAD, EAST OF
 McCOMB ROAD EAST AND SOUTH OF INTERSTATE 270,
 IN THE CITY OF GROVE CITY, COUNTY OF
 FRANKLIN, STATE OF OHIO

GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.



REFERENCE POINT OF
 BEGINNING FOR DESCRIPTION
 OF 0.133 ACRE SANITARY
 EASEMENT

GROVE CITY, OHIO
 9.712 ACRES
 D.B. 3308, P. 422

TRUE POINT OF BEGINNING
 FOR DESCRIPTION OF 0.133
 ACRE SANITARY EASEMENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	20.50	S 76°06'38" E
L2	287.24	S 01°15'20" W
L3	20.00	N 88°44'40" W
L4	291.72	N 01°15'20" E

0.133 ACRE
 EASEMENT AREA

Situated in the State of Ohio, County of Franklin, City of Grove City, being in Virginia Military Survey No. 6839, and being a twenty foot wide easement, containing 0.133 acre, more or less, said 0.133 acre being out of that 9.712 acre tract of land described in the deed to Grove City Ohio, of record in Deed Book 3308, Page 422, Recorder's Office, Franklin County, Ohio.

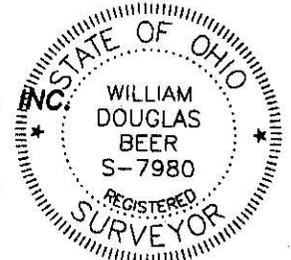
We hereby state that the above map was prepared from information obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in January of 2002.

The bearings shown on this map are based on the bearing of N 77°16'47" W, as given for the centerline of Home Road in Official Record 21956C10, Recorder's Office, Franklin County, Ohio.

LEGEND
 ○ IPF = 3/4" iron pipe found
 ◇ PKF = Concrete nail found

BAUER, DAVIDSON & MERCHANT, INC.
 CONSULTING ENGINEERS

BY William D. Beer
 William D. Beer
 Professional Surveyor No. 7980



REVISED: DECEMBER 19, 2002
 REVISED: AUGUST 22, 2002
 AUGUST 6, 2002
 ORDER NO. 1069-01