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Rev. 09/12

Ver. Date 06/30/2016

PID 95549

**PARCEL 6-U
ARTERIAL STREET REHABILITATION - POLARIS PARKWAY
PERPETUAL EASEMENT FOR UTILITY PURPOSES
IN THE NAME AND FOR THE USE OF THE
CITY OF COLUMBUS, OHIO**

A perpetual easement in, over, under, across and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating water utility lines and appurtenances (the "improvement").

The perpetual easement rights granted herein are "exclusive" as to all except the Grantor and any previously granted rights of record; however, the Grantor shall not cause or allow to be constructed any permanent building, structure, facility or improvement, excepting utility service lines and paved roadway/parking areas, which in any way impair the use or interfere with the construction, operation, maintenance, repair, removal, replacement, or reconstruction of the "improvement" or access thereto. Should the Grantor make permanent or temporary improvements in or upon the subject exclusive perpetual easement, save those exceptions above, then Grantor shall assume the risk of such improvements being damaged or destroyed by subsequent entries made for the purposes granted herein, and the Grantee, its employees, agents, representatives and contractors, shall not be liable for any damage or destruction of such Grantor's improvements during the good faith exercise of the rights herein.

[Surveyor's description of the premises follows]

Situated in the City of Columbus, County of Delaware, and State of Ohio, being in Farm Lot 18, Quarter Township 4, Township 3 North, Range 18 West of the United States Military District, and being a part of that 8.920 acre tract conveyed to Polaris 2004, LLC, an Ohio Limited Liability Company, by Official Record 551, Page 1672, all references being to the Delaware County Recorder's Office, Delaware County, Ohio, and being bounded and more particularly described as follows:

Being a parcel of land lying on the south side of the centerline of existing right-of-way of Polaris Parkway, as shown and delineated upon the centerline plat with the right-of-way plans designated as Arterial Street Rehabilitation – Polaris Parkway prepared for the City of Columbus, Department of Public Services, by Carpenter Marty Transportation Inc., as recorded

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in Official Record Volume 1450, Page 927 (made a part hereof by reference), and being more particularly described as follows:

Beginning, for reference, at a 1" iron pipe found with a yellow cap stamped "CIVIL ENGR ASSOC." at a point of tangency in said centerline, said pin being Station 169+55.73 in said centerline;

Thence along said centerline North 46° 10' 37" East a distance of 169.20 feet to Station 171+24.93 in said centerline;

Thence South 43° 49' 23" East a distance of 50.00 feet to the existing southerly right-of-way line of said Polaris Parkway, said point being 50.00 feet right of Station 171+24.93 in said centerline;

Thence along said southerly line South 43° 48' 05" East a distance of 20.00 feet to a Mag Nail set at the Grantor's northeasterly corner, said Mag Nail being 70.00 feet right of Station 171+24.92 in said centerline, said nail also being the TRUE POINT OF BEGINNING of the parcel herein conveyed;

Thence along the Grantor's easterly line South 43° 48' 05" East a distance of 6.00 feet to a point 76.00 feet right of Station 171+24.92 in said centerline;

Thence across said 8.920 acre tract along the southerly line of the proposed utility easement herein conveyed the following three courses:

- 1) South 46° 10' 37" West a distance of 169.19 feet to a point 76.00 feet right of Station 169+55.73 in said centerline;

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- 2) With a curve to the right having a radius of 1838.95 feet, a central angle of $3^{\circ} 26' 11''$, an arc length of 110.29 feet, a chord bearing South $47^{\circ} 53' 42''$ West, and a chord distance of 110.28 feet to a point 76.00 feet right of Station 168+50.00 in said centerline;
- 3) North $40^{\circ} 23' 13''$ West a distance of 6.00 feet to the existing southerly right-of-way line of said Polaris Parkway, said point being 70.00 feet right of Station 168+50.00 in said centerline;

Thence along said southerly line the following two courses:

- 1) With a curve to the left having a radius of 1832.95 feet, a central angle of $3^{\circ} 26' 11''$, an arc length of 109.93 feet, a chord bearing North $47^{\circ} 53' 42''$ East, and a chord distance of 109.92 feet to a point 70.00 feet right of Station 169+55.73 in said centerline;
- 2) North $46^{\circ} 10' 37''$ East a distance of 169.20 feet to the TRUE POINT OF BEGINNING, containing 0.038 acres, of which the present road occupies 0.000 acres.

The above described tract is located in Auditor's Parcel Number 318-443-02-003-000.

Grantor claims title by Official Record 551, Page 1672, Delaware County Recorder's Office.

This description is based on a survey performed for the City of Columbus in June of 2015 by Carpenter Marty Transportation Inc. This description was prepared and reviewed on June 30, 2016 by Kevin P. Carpenter, Registered Surveyor Number 8124.

The bearings found herein are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Bearings shown heron are based on true north observed by Carpenter Marty Transportation, using a Leica GNSS Viva CS15/GS15 receiver. Based on this the bearing of Interstate 71 is North $3^{\circ} 32' 22''$ East.

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Monuments referred to as iron pins set are $\frac{3}{4}$ " x 30" topped by a 2" diameter aluminum cap stamped "CITY OF COLUMBUS R/W, P.S. 8124". Right of way monuments called for as set herein shall be set upon completion of the acquisition process.