

Delaware County
The Grantor Has Complied With
Section 319.202 Of The R.C.

DATE 6-27-13 Transfer Tax Paid 0
TRANSFERRED OR TRANSFER NOT NECESSARY
Delaware County Auditor By S. Likens



Doc ID: 009982970004 Type: OFF
Kind: EASEMENT
Recorded: 06/27/2013 at 03:55:19 PM
Fee Amt: \$44.00 Page 1 of 4
Workflow# 0000056530-0002
Delaware County, OH
Melissa Jordan County Recorder
File# 2013-00025017

COLUMBUS CITY ATTORNEY'S
OFFICE
~~99 W BROAD~~ ST
2D FLOOR
COLUMBUS, OH 43015

BK 1229 PG 332-335

DEED OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS that **BUCKEYE EXPRESS WASH LLC** (further known as "GRANTOR"), an Ohio limited liability company, for good and valuable consideration, receipt of which is acknowledged, given by the **CITY OF COLUMBUS, OHIO** (further known as "GRANTEE"), a municipal corporation, whose tax mailing address is MORTGAGE CODE 9000 (90 WEST BROAD STREET, REAL ESTATE MANAGEMENT OFFICE, ROOM 425, COLUMBUS, OHIO 43215), does forever grant to Grantee, and Grantee's successors and assigns, a perpetual easement in, over, under, across, above, and through the following described real property (further known as the "EASEMENT AREA") for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining, and operating a pedestrian walkway, sidewalk, and its appurtenances (further known as the "IMPROVEMENT"):

SIDEWALK EASEMENT DESCRIPTION ~ 0.007 ACRE **NORTH SIDE OF POLARIS PARKWAY WEST OF WORTHINGTON ROAD**

SITUATED in the STATE OF OHIO, COUNTY OF DELAWARE, CITY OF COLUMBUS, FARM LOT 17, QUARTER TOWNSHIP 4, TOWNSHIP 3, RANGE 18, UNITED STATES MILITARY DISTRICT and being part of the residuum of that 19.952 acre tract conveyed to BUCKEYE EXPRESS WASH LLC of record in OFFICIAL RECORD 1043, PAGE 1846 and described as follows:

BEGINNING, FOR REFERENCE, at an a pk nail found marking a current corner of said 19.952 acre tract, the same being the southeast corner of that 3.624 acre tract conveyed to Polaris Neighborhood Center IV, LLC of record in Official Record 806, Page 2284, in the north right-of-way line for Polaris Parkway recorded in Plat Book 24, Page 137;

THENCE along said north right-of-way line, being a curve to the left, having a central angle of 02° 54' 26", a radius of 604.81 feet, and an arc length of 30.69 feet, a chord bearing and chord distance of N 78° 06' 12" E, 30.68 feet to the *TRUE POINT OF BEGINNING*;

THENCE across said 19.952 acre tract, the following courses;

- * N 00° 10' 25" E, 13.48 feet along the east line of the Access Easement recorded in Deed Book 564, Page 637;
- * N 60° 21' 07" E, 8.83 feet along a south line of the Sidewalk Easement recorded in Official Record 817, Page 2258;
- * N 29° 38' 53" W, 8.00 feet along the east line of said Sidewalk Easement;
- * N 60° 21' 07" E, 1.00 feet;
- * S 29° 38' 53" E, 9.01 feet;
- * with a curve to the left, having a central angle of 61° 06' 07", a radius of 14.00 feet, and an arc length of 14.93 feet, a chord bearing and chord distance of S 60° 11' 57" E, 14.23 feet;
- * N 89° 15' 00" E, 17.49 feet to an iron pin set marking a current corner to said 19.952 acre tract, the same being the most west corner of that 0.251 acre tract conveyed to NP Limited Partnership of record in Official Record 491, Page 1810 and in the north right-of-way line for said Polaris Parkway;

THENCE along said north right-of-way line per Plat Book 24, Page 137, being a curve to the right, having a central angle of 03° 49' 19", a radius of 604.81 feet, and an arc length of 40.34 feet, a chord bearing and chord distance of S 74° 44' 20" W, 40.34 feet to the *True Point of Beginning*.

CONTAINING 0.007 acre of land, more or less. The above description was prepared by JOHN C. DODGION on June 13, 2011 and is based on existing records and an actual field survey performed in March 2011. A drawing of the above description is attached hereto and made a part thereof.

All iron pins set are 3/4" diameter, 30" long iron pipe with plastic cap inscribed "ADVANCED 7661."

Bearings are based on the OHIO STATE PLANE COORDINATE SYSTEM NAD83, CORS96.

All references used in this description can be found at the RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

ADVANCED CIVIL DESIGN, INC.
JOHN C. DODGION, P.S. 8069

Z:\10-0001-408\survey\0.007ac_desc.doc

DELAWARE COUNTY TAX PARCEL № 318-442-02-054-000.

INSTRUMENT REFERENCE: 201100013047;
RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

(1) All terms and conditions contained in this DEED OF EASEMENT shall forever inure to the benefit of, and be binding upon, the Parties and their respective successors and assigns.

(2) Grantor releases and discharges Grantee, CITY OF COLUMBUS, OHIO, from any future OHIO CONSTITUTION, ARTICLE I, SECTION 19 just compensation claims arising from this grant.

(3) The perpetual easement rights granted in this instrument are exclusive as to all, except Grantor, and any previously granted rights of record. Grantor retains the right to cross the Easement Area with utility service lines and driveway(s) that do not, in any way, impair Grantee's use or interfere with the construction, operation, maintenance, repair, removal, replacement or reconstruction of the Improvement or its access. However, Grantor shall not construct or allow construction of any permanent or temporary building, structure, facility, excavation or other improvements in the Easement Area.

(4) Grantee agrees that upon subsequent entry by Grantee for the purpose of construction, installation, reconstruction, replacement, removal, repair, maintenance, and operation of the Improvement, it will restore the Easement Area to its former condition as nearly as is reasonably practicable. Grantor understands and agrees that restoration of Grantor's property within the Easement Area is specifically limited to restoring the Easement Area's grade and surface to their former condition, but shall not include repair or replacement of any other improvements in the Easement Area.

(5) Grantor covenants with Grantee to be the true and lawful owner of the Easement Area, lawfully seized of the same in fee simple, and having good right and full power to grant this DEED OF EASEMENT.

TO HAVE AND TO HOLD the Easement Area to Grantee, CITY OF COLUMBUS, OHIO, its successors and assigns forever, for the uses and purposes described in this DEED OF EASEMENT.

*****SIGNATURES BEGIN ON NEXT PAGE*****

IN WITNESS WHEREOF, Grantor, BUCKEYE EXPRESS WASH LLC, by its duly authorized managing member, caused this instrument to be executed and subscribed this 15th day of July, 2011.

**BUCKEYE EXPRESS WASH LLC,
AN OHIO LIMITED LIABILITY COMPANY**

[Signature]
PRINT NAME: ANDREW S. CRUM
TITLE: PARTNER

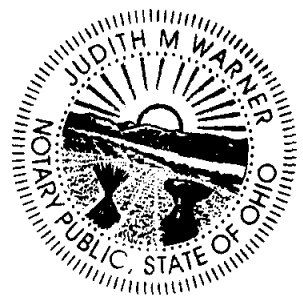
STATE OF OHIO)
COUNTY OF DELAWARE) SS:

BE IT REMEMBERED that on this 15 day of July, 2011, the foregoing instrument was acknowledged before me by Judith M. Warner, the authorized managing member on behalf of BUCKEYE EXPRESS WASH LLC, an Ohio limited liability company.

(SEAL)

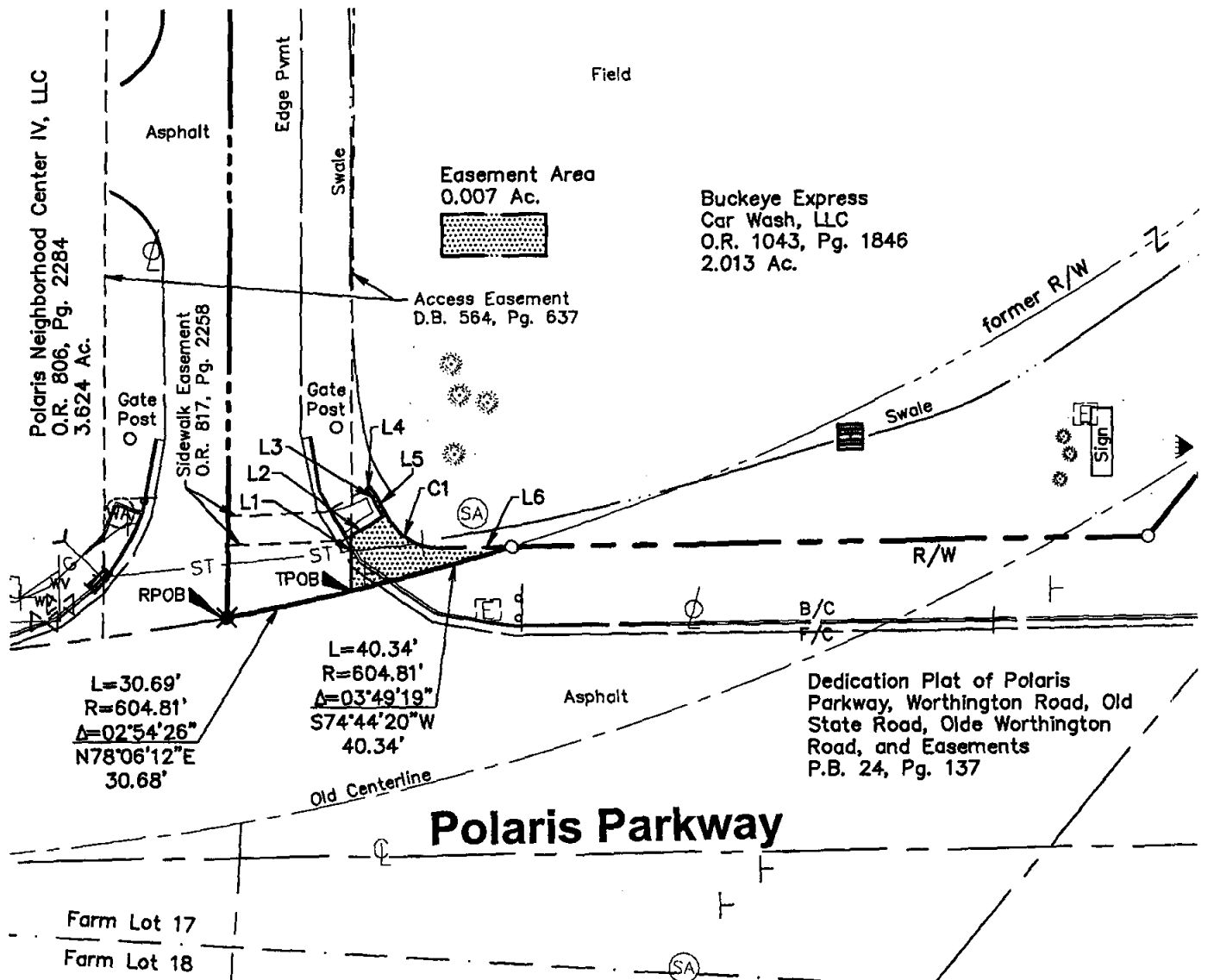
[Signature]
NOTARY PUBLIC

This instrument prepared by:
CITY OF COLUMBUS, DEPARTMENT OF LAW
BY: USAMAH ABDULLAH - 0086404 (7/15/2011)
Real Estate Attorney
Real Estate Division
For: Division of Transportation (Jerry Ryser)
Re: 2880 Dr E Polaris Pkwy Sidewalk Easement



Sidewalk Easement Exhibit

City of Columbus, Delaware County, Ohio
 Farm Lot 17, Quarter Township 4, Township 3, Range 18,
 United States Military District



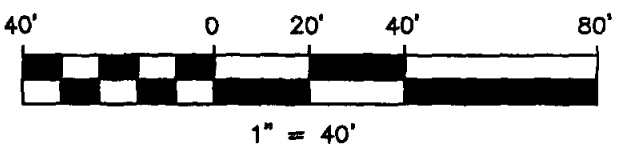
No.	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	14.00'	61°06'07"	14.93'	14.23'	S60°11'57"E

LINE	LENGTH	BEARING
L1	13.48	N00°10'25"E
L2	8.83	N60°21'07"E
L3	8.00	N29°38'53"W
L4	1.00	N60°21'07"E
L5	9.01	S29°38'53"E
L6	17.49	N89°15'00"E

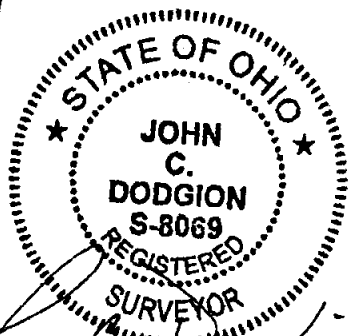
- Iron Pin Set
- ⊗ PK Nail Set
- ⊗ PK Nail Found

Iron pins set are 3/4" diameter iron pipe, 30" long with cap inscribed Advanced 7661.

Bearings are based on the Ohio State Plane Coordinate System NAD83, CORS96.



Olde Worthington Road




John C. Dodgion, P.S. 8069

07/18/2011

DRAWN BY: JCD JOB NO.: 10-0001-408
 DATE: 06/13/2011 CHECKED BY: JCD

Rev.: 07/18/2011



ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS

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