

DP



200808290131765
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08/29/2008 1:20PM BXCITY ATTORN
Robert G. Montgomery
Franklin County Recorder

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS that **THE BOARD OF PARK COMMISSIONERS OF THE COLUMBUS AND FRANKLIN COUNTY METROPOLITAN PARK DISTRICT ("METRO PARKS")**, "Grantor", for One Dollar (\$1.00) and other good and valuable consideration paid by the **CITY OF COLUMBUS, OHIO**, "Grantee", a municipal corporation, the receipt of which is hereby acknowledged, does hereby grant to Grantee, successors and assigns, forever, a perpetual ingress/egress access easement in, over, under, across and through the following described real property for the purposes of providing ingress/egress access to and from Maier Place to a transformer station and for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating such ingress/egress access right-of-way and appurtenances thereto (the "improvement"):

(SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF)

Franklin County Tax Parcel No. 010-063303

Prior Instrument Reference: 200504190072924
Recorder's Office, Franklin County, Ohio.

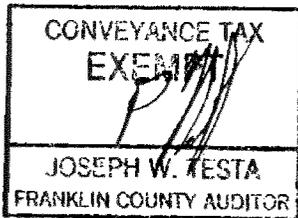
All terms and conditions contained herein shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

Grantor hereby releases and discharges the Grantee, City of Columbus, Ohio, from any claims for Ohio Constitution, Article I, Section 19 just compensation arising from this grant.

Grantor retains the right to use the subject real property for all purposes which are not inconsistent with and do not in any way impair the Grantee and its contractual agents right of free and unobstructed passage along the described ingress/egress access easement. Grantor shall, at its sole cost and expense, perpetually maintain the subject ingress/egress access right-of-way free of nuisance. Grantor shall not cause or allow to be constructed thereon any permanent or temporary building, structure, improvement, or facility.

The Grantor hereby covenants with Grantee that it is the true and lawful owner of the above described real property and is lawfully seized of the same in fee simple and has good right and full power to grant this Deed of Easement.

TO HAVE AND TO HOLD said real property unto said Grantee, City of Columbus, Ohio, its successors and assigns forever, for the uses and purposes hereinbefore described.



TRANSFER NOT NECESSARY

AUG 29 2008

JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

The Grantor, by its duly authorized Executive Director, has caused this instrument to be subscribed this 19 day of August, 2008.

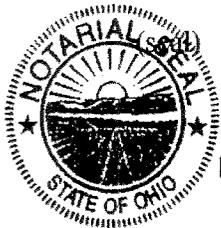
**BOARD OF PARK COMMISSIONERS OF THE
COLUMBUS AND FRANKLIN COUNTY
METROPOLITAN PARK DISTRICT**



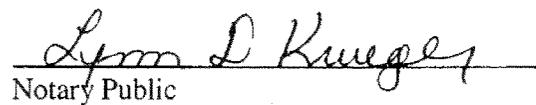
John R. O'Meara
Executive Director

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED that on this 19th day of August, 2008,
the foregoing instrument was acknowledged before me by John R. O'Meara, Executive Director.



LYNN D KRUEGER
Notary Public
In and for
the State of Ohio
My Commission Expires
February 21, 2011



Notary Public

This instrument prepared by 
CITY OF COLUMBUS, DEPARTMENT OF LAW
By: David E. Peterson (6-13-08)
Real Estate Attorney
Real Estate Division
For: Transportation and Water- Rick G.
Re: Whittier Peninsula-Metro Parks Transformer-revised 06.19.08

EXHIBIT "A"

June 16, 2008

DESCRIPTION OF AN INGRESS/EGRESS EASEMENT
SOUTH OF INTERSTATE ROUTE 70/71
EAST OF FURNACE STREET
WHITTIER PENINSULA
COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 27, Township 5 North, Range 22 West, Refugee Lands, being a 35 foot wide strip of land located within that original 10.773 acre tract as described in a deed to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, of record in Instrument No. 200504190072924; all references herein being to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning FOR REFERENCE at the intersection of the southerly right-of-way line of Maier Place (established by City of Columbus Ordinance No. 91-90) with the easterly right-of-way line of Furnace Street, 40 feet from centerline, being also the northwesterly corner of that 6.568 acre tract as described in a deed to The City of Columbus, Ohio, of record in Instrument No. 199909030226779;

Thence along said southerly right-of-way line, the northerly line of said 6.568 acre tract and the northerly perimeter of said 10.773 acre tract the following courses:

1. North 79°24'03" East, a distance of 358.68 feet to a point;
2. South 26°08'57" East, a distance of 97.44 feet to a point;
3. North 63°51'03" East, a distance of 24.29 feet to the TRUE PLACE OF BEGINNING;

Thence North 63°51'03" East, along said southerly right-of-way line and said northerly perimeter, a distance of 1.71 feet to a point;

Thence North 38°56'22" East, continuing along said southerly right-of-way line and said northerly perimeter, a distance of 36.71 feet to a point;

Thence South 26°08'57" East, through said 10.773 acre tract, a distance of 284.40 feet to a point at the northeasterly corner of that 0.410 acre tract as described in a deed to the City of Columbus, Ohio, of record in Instrument No. 200804080053220;

Thence South 64°04'56" West, along the northerly perimeter of said 0.410 acre tract, a distance of 35.00 feet to a point;

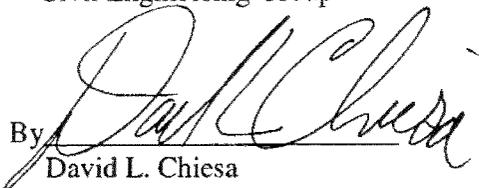
Thence North 26°08'57" West, through said 10.773 acre tract, a distance of 268.79 feet to the TRUE PLACE OF BEGINNING and containing 9,668 square feet of land.

Bearings herein are based on the NAD 83 Ohio State Plane Coordinate System, South Zone, utilizing monuments COC 13-83 and COC 18-83 and determines the south right-of-way line of Maier Place to be North 79°24'03" East.

This description was prepared by M•E Companies, Inc., Civil Engineering Group.



M•E Companies, Inc.
Civil Engineering Group

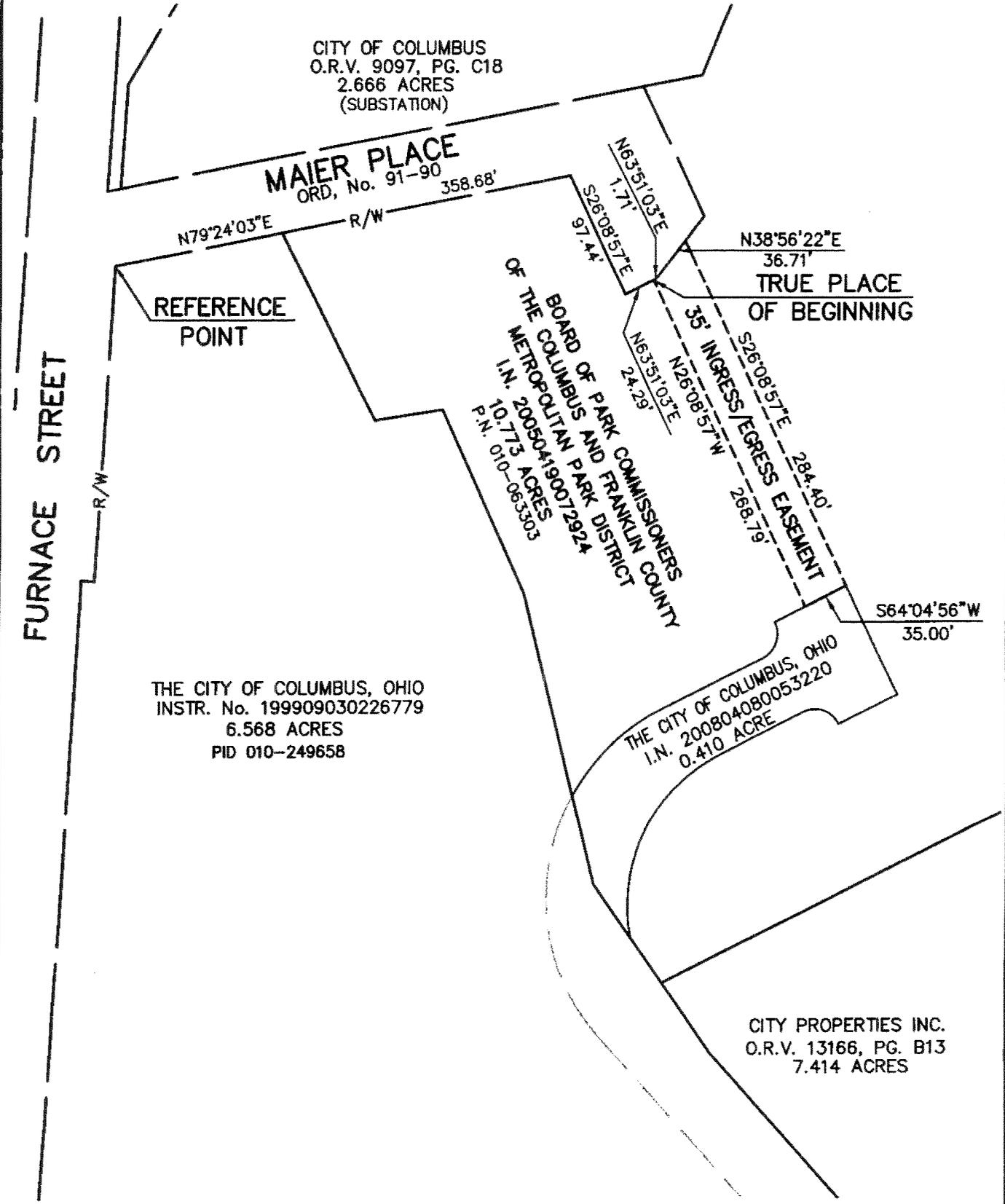
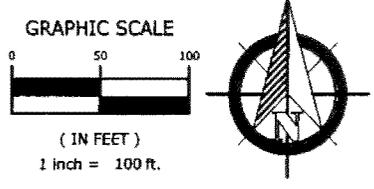
By 
David L. Chiesa
Registered Surveyor No. 7740



Celebrating 60 years of service
 635 Brookside Boulevard
 Westerville, OH 43081
 Contact: DAVE CHIESA
 614-818-4900 ext. 225
 Fax: 614-818-4902
 www.mecompanies.com

INGRESS/EGRESS EASEMENT EXHIBIT

NORTH OF WHITTIER STREET
COLUMBUS, OHIO



BEARING REFERENCE
 BEARINGS SHOWN HEREON ARE BASED ON THE NAD 83 OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, UTILIZING MONUMENTS COC 13-83 AND COC 18-83 AND DETERMINED THE SOUTH RIGHT-OF-WAY LINE OF MAIER PLACE TO BE NORTH 79°24'03" EAST.

State of Ohio,
 County of Franklin,
 City of Columbus,
 Half Section 27
 Township 5 North,
 Range 22 West,
 Refugee Lands.



David L. Chiesa
 REGISTERED SURVEYOR NO. 7740 DATE 6/16/08

HIGHWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS that **THE BOARD OF PARK COMMISSIONERS OF THE COLUMBUS AND FRANKLIN COUNTY METROPOLITAN PARK DISTRICT**, "Grantor", whose tax mailing address is 1069 West Main Street, Westerville, Ohio 43081-1181, for One Dollar(\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, given by the **CITY OF COLUMBUS, OHIO**, "Grantee", a municipal corporation, whose tax mailing address is 90 West Broad Street, Columbus, Ohio 43215 (Mortgage Code 9000), does hereby grant unto said Grantee, its successors and assigns, a perpetual highway/roadway easement in, over, under, across, and through the following described real property:

0.410 Acres

(SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF)

Franklin County Tax Parcel Number 010-063303.

Prior Instrument Reference: Instrument Number 200504190072924,
Recorder's Office, Franklin County, Ohio.

All terms and conditions contained herein shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

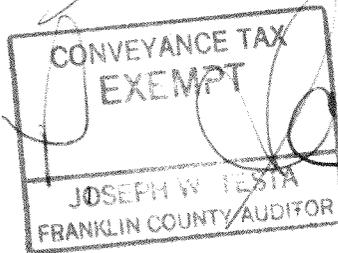
Grantor hereby releases and discharges the Grantee, City of Columbus, Ohio, from any future Ohio Constitution, Article I, Section 19 just compensation claims arising from this grant.

The Grantor, by its duly authorized officer, has hereunto caused this instrument to be subscribed this 7th day of April 2008.

**THE BOARD OF PARK COMMISSIONERS OF
THE COLUMBUS AND FRANKLIN COUNTY
METROPOLITAN PARK DISTRICT**



John R. O'Meara, Executive Director



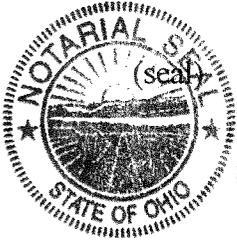
TRANSFER
NOT NECESSARY

APR 08 2008

JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED that on this 7th day of April 2008
the foregoing instrument was acknowledged before me by John R. O'Meara, Executive Director,
on behalf of The Board of Park Commissioners of the Columbus and Franklin County
Metropolitan Park District.



LYNN D. KRUEGER
Notary Public
In and for
the State of Ohio
My Commission Expires
February 21, 2011

Lynn D Krueger

Notary Public

This instrument prepared by:
CITY OF COLUMBUS, DEPARTMENT OF LAW
By: Richard A. Pieplow (3-28-08)
Real Estate Attorney
Real Estate Division
For: Division of Transportation
Re: Whittier Street Peninsula

DESCRIPTION OF 0.410 ACRE
SOUTH OF INTERSTATE ROUTE 70/71
EAST OF FURNACE STREET
WHITTIER PENINSULA
COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 27, Township 5 North, Range 22 West, Refugee Lands, being 0.410 acre of that 10.773 acre tract of land described in a deed to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, of record in Instrument No. 200504190072924; all references herein being to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning FOR REFERENCE at a 1" solid iron pin found at the intersection of the southerly right-of-way line of Maier Place (established by City of Columbus Ordinance No. 91-90) with the easterly right-of-way line of Furnace Street, 40 feet from centerline, being also the northwesterly corner of that 6.568 acre tract as described in a deed to The City of Columbus, Ohio, of record in Instrument No. 199909030226779; thence North $79^{\circ}24'03''$ East, along said southerly right-of-way line, a distance of 131.34 feet to a found cross etched in a rail found at the northwesterly corner of said 10.773 acre tract and the northeasterly corner of said 6.568 acre tract;

Thence along the common property lines to said 10.773 acre tract and said 6.568 acre tract the following courses:

1. South $27^{\circ}43'57''$ East, a distance of 156.48 feet to a 1" iron pin found (uncapped);
2. North $81^{\circ}18'03''$ East, a distance of 53.06 feet to a cross etched in a rail found;
3. South $25^{\circ}05'57''$ East, a distance of 150.23 feet to a iron pin found capped "EMHT";
4. South $14^{\circ}09'57''$ East, a distance of 154.66 feet to an iron pin set and the TRUE PLACE OF BEGINNING;

Thence through said 10.773 acre tract with a new division line the following courses:

1. With the arc of a non-tangent curve to the right, having a radius of 155.00 feet, a central angle of $34^{\circ}41'19''$, an arc length of 93.84 feet, the chord of which bears North $46^{\circ}44'17''$ East, a chord distance of 92.41 feet to an iron pin set at a point of tangency;
2. North $64^{\circ}04'56''$ East, a distance of 88.88 feet to an iron pin set at a point of curvature;
3. With the arc of a curve to the left, having a radius of 20.00 feet, a central angle of $90^{\circ}00'00''$, an arc length of 31.42 feet, the chord of which bears North $19^{\circ}04'56''$ East, a chord distance of 28.28 feet to an iron pin set;
4. North $64^{\circ}04'56''$ East, a distance of 60.95 feet to an iron pin set;
5. South $26^{\circ}08'57''$ East, a distance of 90.00 feet to an iron pin set;
6. South $64^{\circ}04'56''$ West, a distance of 50.35 feet to an iron pin set;
7. With the arc of a non-tangent curve to the left, having a radius of 20.00 feet, a central angle of $90^{\circ}00'00''$, an arc length of 31.42 feet, the chord of which bears North $70^{\circ}55'04''$ West, a chord distance of 28.28 feet to an iron pin set at a point of tangency;
8. South $64^{\circ}04'56''$ West, a distance of 72.93 feet to an iron pin set at a point of curvature;

Description of 0.410 acre – Page 2

- 9. With the arc of a curve to the left, having a radius of 125.00 feet, a central angle of $75^{\circ}10'05''$, an arc length of 163.99 feet, the chord of which bears South $26^{\circ}29'54''$ West, a chord distance of 152.48 feet to an iron pin set in the easterly line of said 6.568 acre tract and the westerly line of said 10.773 acre tract;

Thence North $35^{\circ}26'57''$ West, along said easterly and westerly lines, a distance of 49.37 feet to an "X" cut in the top of a solid iron pin found;

Thence North $14^{\circ}09'57''$ West, continuing along said easterly and westerly lines, a distance of 68.19 feet to the TRUE PLACE OF BEGINNING and containing 0.410 acre of land.

Bearings herein are based on the NAD 83 Ohio State Plane Coordinate System, South Zone, utilizing monuments COC 13-83 and COC 18-83 and determines the south right-of-way line of Maier Place to be North $79^{\circ}24'03''$ East.

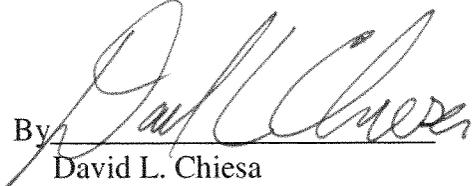
Iron pins set consist of a 1" (O.D.) pipe, 30" long with a plastic cap inscribed "M-E COMPANIES/S-6872".

This description was prepared by M•E Companies, Inc., Civil Engineering Group, based on information obtained from an actual field survey performed in March 2008.

F-054
 Split 0.410 ac.
 out of (010)
 63303



M•E Companies, Inc.
Civil Engineering Group

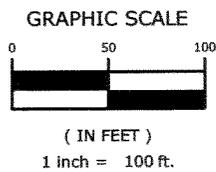
By 
 David L. Chiesa
 Registered Surveyor No. 7740





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614-818-4900 ext. 225
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**PROPERTY SPLIT
EXHIBIT**
NORTH OF WHITTIER STREET
COLUMBUS, OHIO



State of Ohio,
County of Franklin,
City of Columbus,
Half Section 27
Township 5 North,
Range 22 West,
Refugee Lands.

CITY OF COLUMBUS
O.R.V. 9097, PG. C18
2.666 ACRES
(SUBSTATION)

MAIER PLACE
ORD. No. 91-90

BOARD OF PARK COMMISSIONERS
OF THE COLUMBUS AND FRANKLIN COUNTY
METROPOLITAN PARK DISTRICT
I.N. 200504190072924
10.773 ACRES
P.N. 010-063303

FURNACE STREET

REFERENCE
POINT

THE CITY OF COLUMBUS, OHIO
INSTR. No. 199909030226779
6.568 ACRES
PID 010-249658

TRUE PLACE
OF BEGINNING

0.410 ACRES

CITY PROPERTIES INC.
O.R.V. 13166, PG. B13
7.414 ACRES

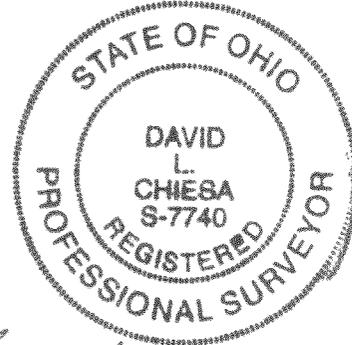
CURVE TABLE					
CURVE	DELTA	RADIUS	C.B.	CHORD	LENGTH
C1	34°41'19"	155.00	N46°44'17"E	92.41'	93.84'
C2	90°00'00"	20.00	N19°04'56"E	28.28'	31.42'
C3	90°00'00"	20.00	N70°55'04"W	28.28'	31.42'
C4	75°10'05"	125.00	S26°29'54"W	152.48'	163.99'

BEARING REFERENCE

BEARINGS SHOWN HEREON ARE BASED ON THE
NAD 83 OHIO STATE PLANE COORDINATE
SYSTEM, SOUTH ZONE, UTILIZING MONUMENTS
COC 13-83 AND COC 18-83 AND DETERMINED
THE SOUTH RIGHT-OF-WAY LINE OF MAIER
PLACE TO BE NORTH 79°24'03" EAST.

LEGEND

- ⊙ IRON PIN FOUND (CAPPED AS NOTED)
- IRON PIN SET (1" O.D. IRON PIPE, 30" LONG W/PLASTIC CAP "M-E COMPANIES/S-6872")
- MAG NAIL SET
- ⊠ CROSS ON RAIL FOUND



David L. Chiesa
REGISTERED SURVEYOR NO. 7740 DATE 3/27/08