

Red



200605050086597

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05/05/2006 3:54PM BXCITY ATTORN
Robert G. Montgomery
Franklin County Recorder

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS that THE TRADITIONS AT WORTHINGTON WOODS, LLC, "Grantor", an Ohio limited liability company, 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, its successors and assigns forever, 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 sewer utility lines and appurtenances thereto (the "improvement"):

CC14535

Strip One

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lots 5 and 6, Section 1, Township 2, Range 18, and being part of a 10.086 acre tract conveyed to The Traditions at Worthington Woods, LLC, by deed of record in Instrument Number 200604050063793, all records herein are from the Recorder's Office, Franklin County, Ohio, said Sanitary Sewer Easement, 0.788 acre being more particularly described as follows:

BEGINNING FOR REFERENCE, at the southwest corner of Lot 63 of Worthington Village North, Section 3, as shown and delineated in Plat Book 85, Page 19;

Thence North 87°19'35" West, a distance of 124.72 feet, along the common line of said 10.086 acre tract and a 3.013 acre tract conveyed to Tess Miranda & Associates, LLC, by deed of record in Instrument Number 200509060183412, to the **TRUE POINT OF BEGINNING**;

Thence North 87°19'35" West, a distance of 411.97 feet, continuing along the common line of said 10.086 acre tract, said 3.013 acre tract, and a 3.075 acre tract conveyed to Frank S Sugar Jr. & Castle Point Development, LTD., by deed of record in Instrument Number 20050120001192, to a point;

Thence with the following thirteen (13) courses and distances across said 10.086 acre tract;

1. North 04°38'29" East, a distance of 367.51 feet, to a point;
2. South 83°07'49" East, a distance of 5.01 feet, to a point;
3. North 03°31'34" East, a distance of 273.43 feet, to a point;
4. South 86°28'26" East, a distance of 25.00 feet, to a point;
5. South 03°31'34" West, a distance of 266.40 feet, to a point;
6. South 74°27'33" East, a distance of 161.49 feet, to a point;
7. North 73°17'04" East, a distance of 176.27 feet, to a point;

CONVEYANCE TAX EXEMPT
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

TRANSFERRED NOT NECESSARY
MAY 05 2006
JOSEPH W. TESTA
AUDITOR

8. South 16°42'56" East, a distance of 25.00 feet, to a point;
9. South 73°17'04" West, a distance of 183.50 feet, to a point;
10. North 74°27'33" West, a distance of 168.85 feet, to a point;
11. South 04°38'29" West, a distance of 324.44 feet, to a point;
12. South 87°19'35" East, a distance of 386.21 feet, to a point;
13. South 02°55'44" West, a distance of 25.00 feet, to the **TRUE POINT OF BEGINNING**, containing 0.788 acres, more or less.

The bearings shown above are determined between Franklin County Monuments N64-94 and N67-94 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment), which said monuments having a bearing of North 86°19'36" West between them.

Strip Two

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lot 6, Section 1, Township 2, Range 18, and being part of a 10.086 acre tract conveyed to The Traditions at Worthington Woods, LLC, by deed of record in Instrument Number 200604050063793, all records herein are from the Recorder's Office, Franklin County, Ohio, said Sanitary Sewer Easement, 0.359 acres being more particularly described as follows:

BEGINNING FOR REFERENCE, at a point on the southerly right-of-way line of Worthington Woods Boulevard (100' r/w) at the northwest corner of Lot 79 of Worthington Village North, Section 3, as shown and delineated in Plat Book 85, Page 19;

Thence South 22°55'11" East, a distance of 24.76 feet, along the westerly line of said Subdivision, to the **TRUE POINT OF BEGINNING**;

Thence South 22°55'11" East, a distance of 25.29 feet, continuing along the westerly line of said Subdivision, to a point;

Thence with the following twelve (12) courses and distances across said 10.086 acre tract;

1. South 75°42'54" West, a distance of 49.23 feet, to a point;
2. South 26°04'08" West, a distance of 187.13 feet, to a point;
3. South 46°09'03" West, a distance of 151.24 feet, to a point;
4. South 04°05'28" West, a distance of 177.34 feet, to a point;
5. North 85°54'32" West, a distance of 25.00 feet, to a point;
6. North 04°05'28" East, a distance of 107.35 feet, to a point;

7. North 86°33'40" West, a distance of 12.03 feet, to a point;
8. North 03°26'20" East, a distance of 88.14 feet, to a point;
9. South 86°33'40" East, a distance of 20.82 feet, to a point;
10. North 46°09'03" East, a distance of 144.80 feet, to a point;
11. North 26°04'08" East, a distance of 194.27 feet, to a point;
12. North 75°42'54" East, a distance of 57.00 feet, to the **TRUE POINT OF BEGINNING**, containing 0.359 acres, more or less.

The bearings shown above are determined between Franklin County Monuments N64-94 and N67-94 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment), which said monuments having a bearing of North 86°19'36" West between them.

Franklin County Tax Parcel No. 610-146450

Prior Instrument Reference: Instrument Number 200604050063793
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.

1. Grantor, at its expense, shall install/construct the "improvement" within the easement area described herein. The "improvement" shall be installed/constructed in accordance with City of Columbus construction specifications. Grantor shall, at its expense, return the easement area to its former condition as nearly as is reasonably practicable.

2. After Grantee has approved and accepted the "improvement", it shall be operated, maintained, renewed, reconstructed and/or replaced by the Grantee as necessity requires.

3. After Grantee's approval and acceptance of the subject "improvement", the Grantee agrees that upon subsequent entry by the Grantee for the purpose of construction, installation, reconstruction, replacement, removal, repair, maintenance and operation of said "improvement", it will restore Grantor's property within said 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 property to its former grade and restoring the surface to its former condition, but shall not include repair or replacement of any improvements therein or thereon.

4. The perpetual easement rights granted herein are "exclusive" as to all except the Grantor and any previously granted rights of record. Grantor retains the right to use the subject real property for all purposes which do not in any manner impair the Grantee's use or interfere

with the construction, operation, maintenance, repair, removal, replacement or reconstruction of the "improvement" or access thereto. Grantor shall not cause or allow any permanent or temporary building, structure, facility, or improvement to be constructed in or upon the subject easement, except utility service lines, paved parking, driveways, and sidewalks. If Grantor makes permanent or temporary improvements in or upon said easement, other than those stated above, then Grantor shall assume full responsibility for any damage or destruction of such improvements by Grantee, and Grantee, its employees, agents, representatives and contractors, shall not be liable for any damage or destruction of such improvements during the good faith exercise of the rights granted herein.

5. The Grantor hereby covenants with Grantee to be the true and lawful owner(s) of the above-described real property and lawfully seized of the same in fee simple and having good right and full power to grant this Deed of Easement and will not convey or transfer fee simple ownership of the described real property prior to this instrument being recorded.

The Grantor, The Traditions at Worthington Woods, LLC, by its duly authorized member and manager, has caused this instrument to be executed and subscribed this 4th day of May 2006.

**THE TRADITIONS AT
WORTHINGTON WOODS, LLC.**

An Ohio limited liability company

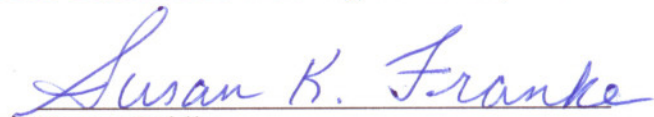
By: Village Communities, LLC, an Ohio limited liability, its sole member and manager


Donald R. Kenney, Manager

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED, that on this 4th day of May 2006 the foregoing instrument was acknowledged before me Donald R. Kenney, Manager, of Village Communities, LLC, sole member and manager of The Traditions at Worthington Woods, LLC.

(seal)


Notary Public

This instrument prepared by:
CITY OF COLUMBUS, DEPARTMENT OF LAW
By: Richard A. Pieplow
Real Estate Attorney
Real Estate Division
For: Division of Sewerage & Drainage
Re: Worthington Wds Blvd. Sanitary
Neg. EWR-CC14535 Worthington Wds Blvd San. 5-1-06.doc



SUSAN K. FRANKE
Notary Public, State of Ohio
My Commission Expires 08/01/2009

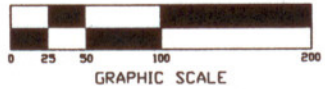
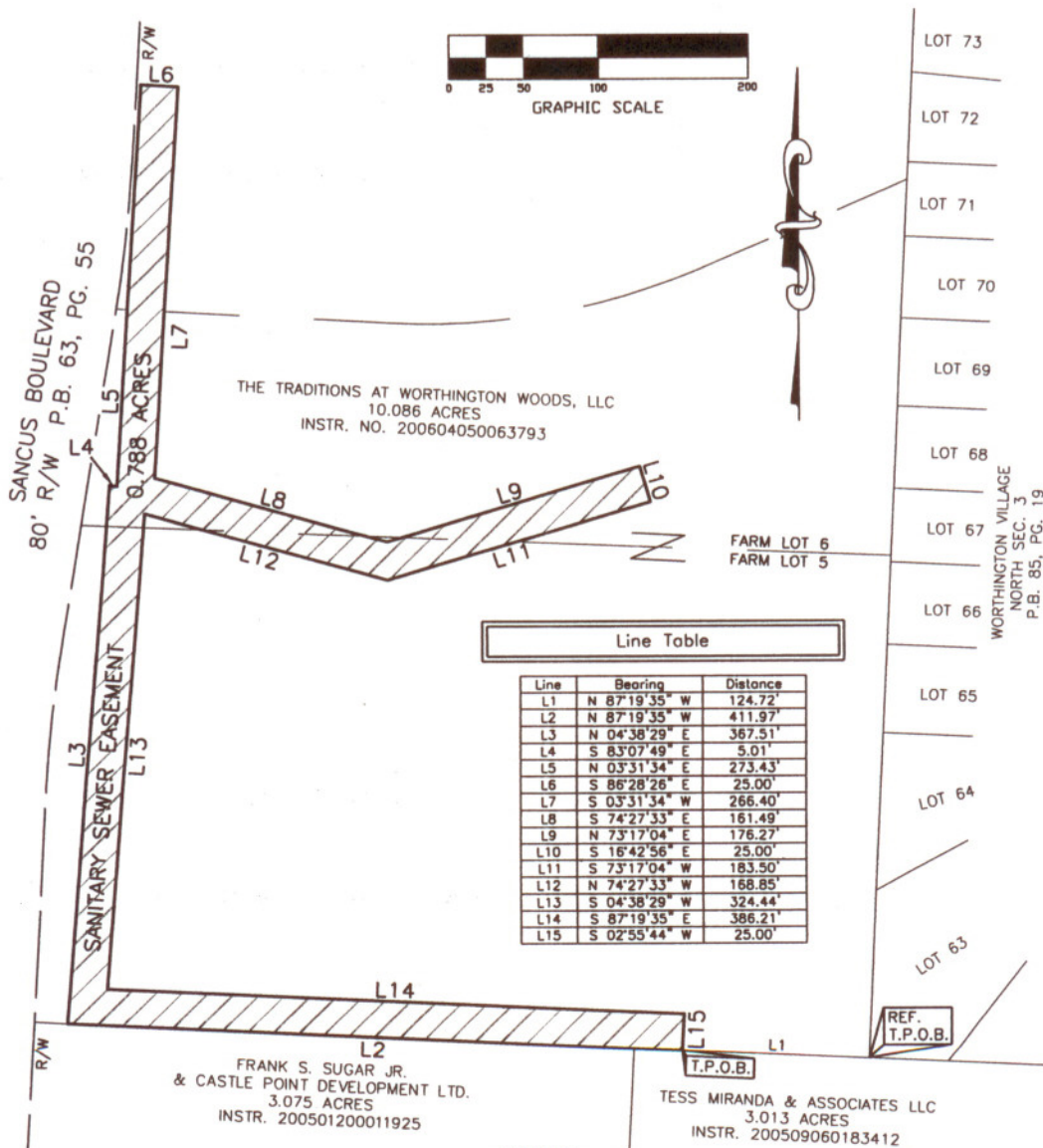


Civil & Environmental Consultants, Inc.

8740 Orion Place, Suite 100 Columbus, Oh. 43240
(614) 540-6633 (888)598-6808 FAX(614)540-6638

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NASHVILLE, TN. · PITTSBURGH, PA. · ST. LOUIS, MO.

Sanitary Sewer Easement



Line Table

Line	Bearing	Distance
L1	N 87°19'35" W	124.72'
L2	N 87°19'35" W	411.97'
L3	N 04°38'29" E	367.51'
L4	S 83°07'49" E	5.01'
L5	N 03°31'34" E	273.43'
L6	S 86°28'26" E	25.00'
L7	S 03°31'34" W	266.40'
L8	S 74°27'33" E	161.49'
L9	N 73°17'04" E	176.27'
L10	S 16°42'56" E	25.00'
L11	S 73°17'04" W	183.50'
L12	N 74°27'33" W	168.85'
L13	S 04°38'29" W	324.44'
L14	S 87°19'35" E	386.21'
L15	S 02°55'44" W	25.00'

Situate

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Farm Lots 5 and 6, Section 1, Township 2, Range 18, United States Military Lands.

Basis of Bearings

The bearings shown are determined between Franklin County Monuments N64-94 and N67-94 based on the State Plane Coordinate System, Ohio, South Zone, NAD 83 (1986 adjustment), which said monuments having a bearing of North 86°19'36" West between them.



Jerry A. Malott
Jerry A. Malott P.S. 5963

REVISION RECORD		DRAWN BY: NW	JOB NUMBER 051504
DATE	DESCRIPTION	FIELD WORK BY: N/A	
04-18-06	REVISE ESMT TO MATCH RECORDED LEGAL (DH)	DATE: 3-29-06	
04-24-06	CORRECTED L6 (DH)	SCALE: 1" = 100'	

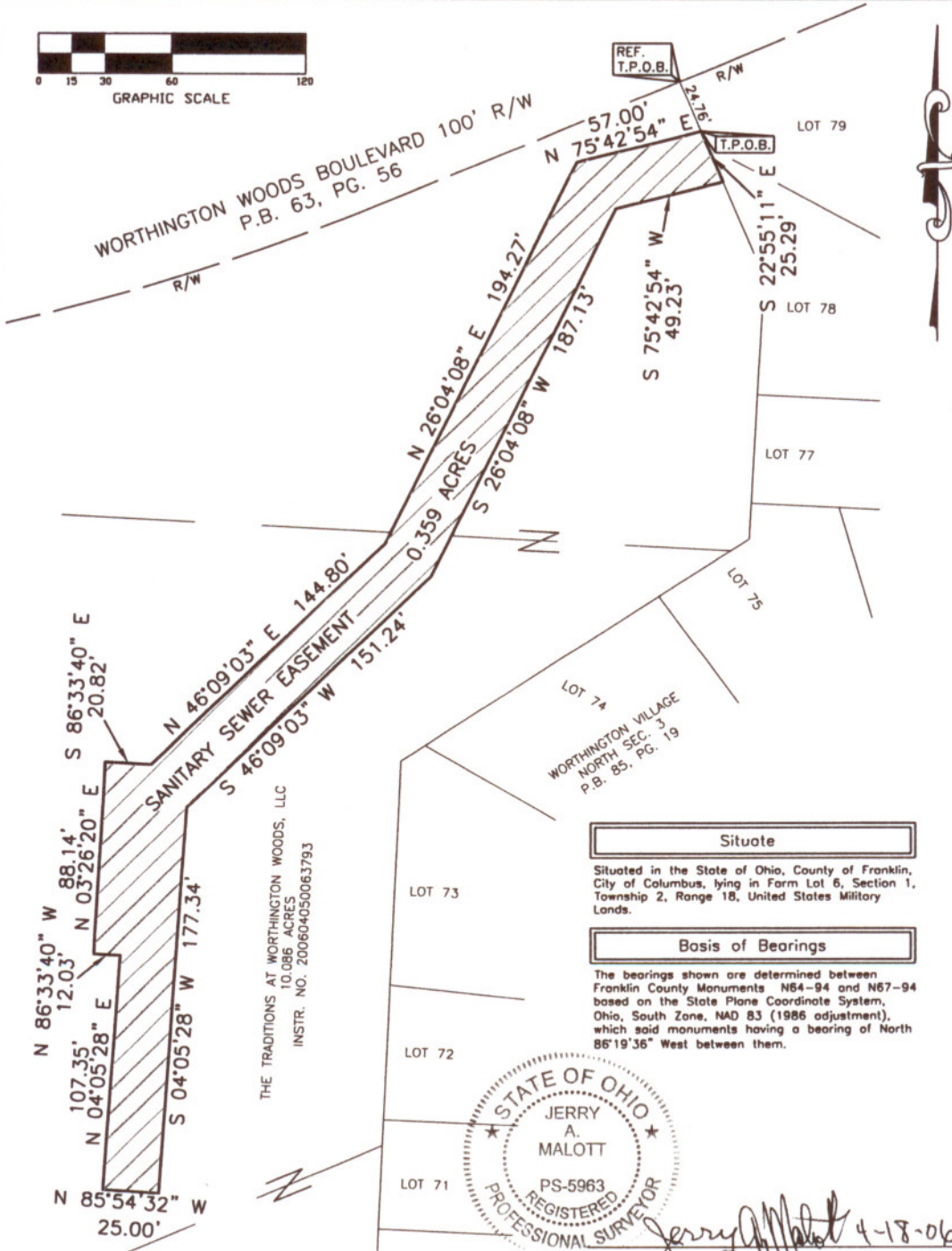
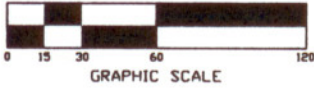


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Sanitary Sewer Easement



REVISION RECORD		DRAWN BY: NW	JOB NUMBER 051504
DATE	DESCRIPTION	FIELD WORK BY: N/A	
04-18-06	REVISE ESMT TO MATCH RECORDED LEGAL (DH)	DATE: 3-29-06	
		SCALE: 1" = 60'	