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05/19/2006 3:55PM BXCITY ATTORN
Robert G. Montgomery
Franklin County Recorder

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS that **MOUNT CARMEL HEALTH SYSTEM**, "Grantor", an Ohio non-profit corporation, 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, including the right of reasonable access thereto, for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating sewer utilities and appurtenances thereto (the "improvement"):

CC-14610

PERPETUAL SEWER UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 16, United States Military District, and being across that 43.837 acre tract conveyed to Mount Carmel Health System of record in Instrument Number 200312110392742 and that 7.327 acre tract conveyed to Mount Carmel Health System of record in Instrument Number 200501280017471 and described as follows:

Beginning, for reference, at the intersection of the centerline of East Broad Street and Taylor Station Road and the southwest corner of said 43.837 acre tract;

thence North 82° 21' 49" East, with the centerline of East Broad Street and the south line of said 43.837 acre tract, 974.77 feet;

thence North 07° 38' 11" West, 80.62 feet to the north right-of way line of East Broad Street, being the *True Point of Beginning*;

thence across said 43.837 acre tract and said 7.327 acre tract, the following courses:

North 06° 09' 41" West, 41.95 feet;

North 83° 52' 58" East, 140.40 feet;

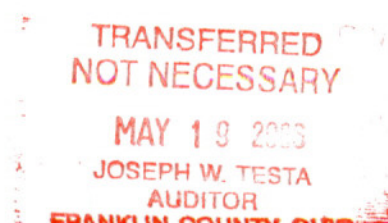
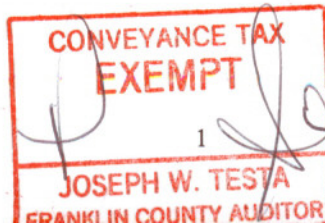
North 24° 27' 49" East, 18.12 feet;

North 06° 07' 02" West, 155.52 feet;

North 04° 08' 52" East, 300.47 feet to the north line of said 7.327 acre tract;

thence North 82° 10' 34" East, with said north line, 25.56 feet;

thence across said 43.837 acre tract and said 7.327 acre tract, the following courses:



South 04° 08' 52" West, 270.54 feet;

North 44° 24' 00" East, 125.12 feet;

South 45° 36' 00" East, 25.00 feet;

South 44° 24' 00" West, 153.33 feet;

South 06° 07' 02" East, 136.67 feet;

North 82° 21' 48" East, 921.32 feet;

North 07° 46' 36" West, 151.66 feet;

North 83° 43' 27" West, 72.04 feet;

South 81° 59' 54" West, 497.99 feet;

North 08° 00' 06" West, 25.00 feet to the dividing line between said 43.837 acre tract and said 7.327 acre tract;

thence North 81° 59' 54" East, with said dividing line, 601.48 feet to a corner common to said 43.837 acre tract, that 24.702 acre tract conveyed to Empire Ventures/6200 East Broad, LLC of record in Instrument Number 200312110392762, and in the south line of said 7.327 acre tract;

thence South 07° 46' 36" East, with a line common to said 43.837 acre tract and said 24.704 acre tract, 254.15 feet to the north right-of-way line of East Broad Street

thence with the north right-of-way line of East Broad Street, the following courses:

South 56° 14' 01" West, 9.06 feet;

South 82° 21' 48" West, 515.00 feet;

North 77° 20' 22" West, 72.50 feet;

South 77° 33' 43" West, 250.88 feet;

South 77° 47' 22" West, 50.16 feet;

South 81° 01' 36" West, 159.29 feet;

South 84° 01' 04" West, 80.98 feet to the *True Point of Beginning* and containing 2.293 acres, more or less.

The bearings shown hereon are based on the North 82° 21' 49" East for the centerline of East Broad Street as established from a series of GPS observations in October of 2003.

Prior Instrument Reference: Instrument Number 200312110392742
Recorder's Office, Franklin County, Ohio.
Franklin County Tax Parcel No.: 520-269047

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 from any future Ohio Constitution, Article I, Section 19 just compensation claims arising from this grant.

The Grantee, as soon as is practicable after all entries made pursuant to the rights granted herein, shall cause restoration of the described easement areas by returning the subject property to its former grade and restoring the surface to its former condition as nearly as is reasonably possible, but subject to the terms and conditions and the improvements anticipated by the easement rights granted herein.


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.

The Grantor hereby covenants with Grantee to be the true and lawful owner of the above-described real property, lawfully seized of the same in fee simple, with good right and full power to grant this 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.

The Grantor, Mount Carmel Health System, by its duly authorized officer, has caused this instrument to be executed and subscribed this 8th day of May 2006.

MOUNT CARMEL HEALTH SYSTEM
an Ohio non-profit corporation


Print name: DAVID C DRYDEN
Title: DIRECTOR OF CONSTRUCTION & FACILITIES PLANNING

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED, that on this 8th day of May 2006 the foregoing instrument was acknowledged before me by David C Dryden, _____, on behalf of Mount Carmel Health System, an Ohio non-profit corporation.

(seal)


Notary Public

REBECCA NESTER
STATE OF OHIO
MY COMMISSION EXPIRES
12*24*06

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: Mt. Carmel Taylor Station Sanitary
Neg. EWR-CC14610-4 Mt. Carmel Taylor Sta San.4-14-

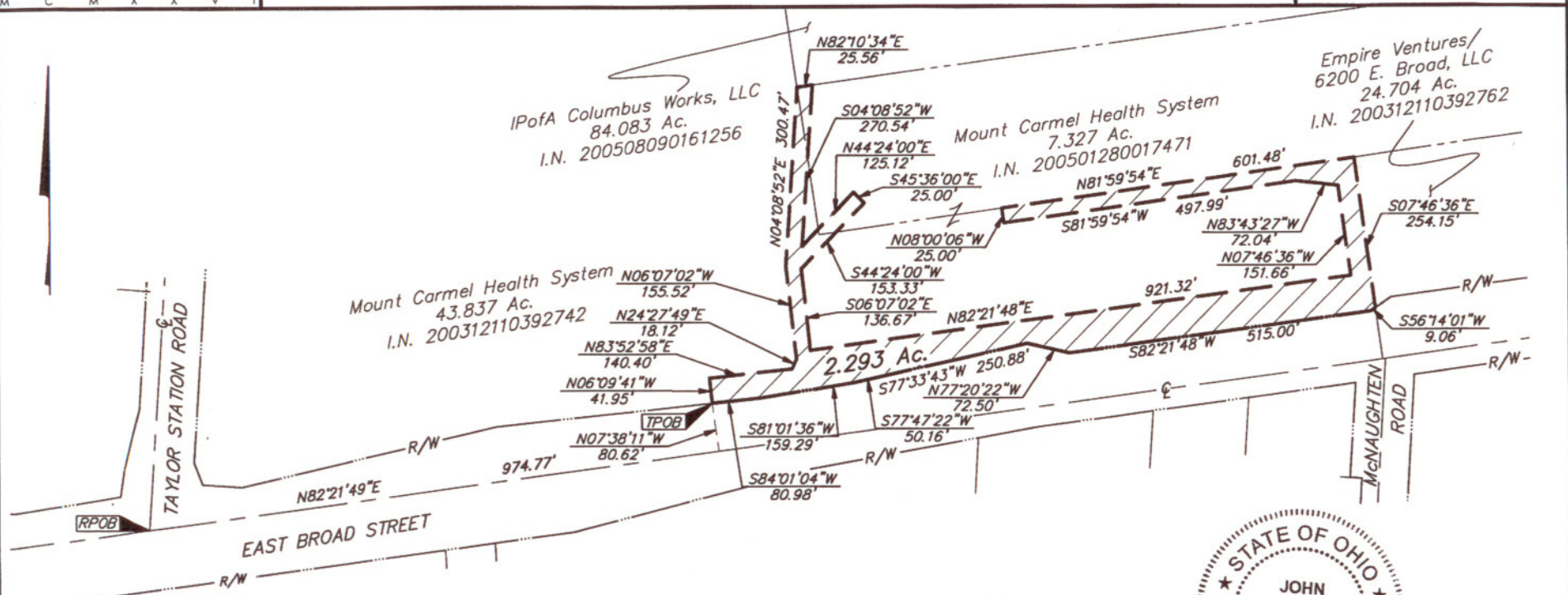


Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Fax: 614.775.4800

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SANITARY SEWER EASEMENT
QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 16
UNITED STATES MILITARY DISTRICT
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

Date: February 7, 2006
 Scale: 1" = 200'
 Job No: 2005-1019



BASIS OF BEARINGS: Bearings are based on North 82° 21' 49" East for the centerline of East Broad Street as established from a series of GPS observations in October of 2003.



GRAPHIC SCALE
(IN FEET)



02/07/06

By *John C. Doddgion*
 Professional Surveyor No. 8069