

(2)

## GENERAL WARRANTY DEED

The City of Gahanna, an Ohio municipal corporation, (Grantor), for valuable consideration paid, grants, with general warranty covenants, to Portrait Homes-Gahanna Grove LLC, an Illinois Limited Liability Company, whose tax mailing address is 5850 Venture Drive, Suite B, Dublin, Ohio 43017, ("Grantee"), the following real property: Being a 2.622 acre parcel, more or less, situated in the County of Franklin, in the State of Ohio and in the City of Gahanna as more particularly described on Exhibit A attached hereto and incorporated herein

Street Address: 4491 Johnstown Road, Gahanna, Ohio  
Parcel Number: 470-001016



Prior Instrument Reference: 200111210271207.

Grantor reserves unto itself, its successors and assigns, a perpetual, nonexclusive easement for sanitary sewer and water lines, together with the right to operate, maintain, repair, replace and/or remove such lines, on, over and across the following real property:

See Exhibit B attached hereto and incorporated herein.

Grantee may use the area of the easement for any use that does not interfere with the purpose of the easement including, but not limited to, sidewalks, parking areas, roadways, landscaping and utility lines. Permanent structures may not be constructed in the area of the easement. Grantor shall restore any property disturbed by its entry onto the area of the easement as nearly as possible to the condition existing prior to Grantor's entry.

Witness her hand this 10<sup>th</sup> day of June, 2003.

CITY OF GAHANNA

907840

By:

*Rebecca W. Stinchcomb*

Becky Stinchcomb, Mayor  
per Authority granted by City  
Council in Ordinance No.  
0085-2003 passed May 5, 2003

STATE OF OHIO,  
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED that on this 10<sup>th</sup> day of June, 2003 before me a notary in and for said County and State personally came Becky Stinchcomb, the Mayor of the City of Gahanna, the Grantor herein, who acknowledged the signing hereof to be her free and voluntary act and deed on behalf of said City.

TRANSFERRED

JUN 19 2003

JOSEPH W. TESTA  
AUDITOR

FRANKLIN COUNTY, OHIO

This instrument prepared by:  
Shuler, Plank & Brahm  
A Legal Professional Association  
145 East Rich Street  
Columbus, OH 43215



JENNIFER A. CHRYSLER  
Notary Public, State of Ohio  
My Commission Expires 10-10-07

EXHIBIT A

**DESCRIPTION OF A 2.622 ACRE PARCEL**

**City of Gahanna  
Franklin County, Ohio**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Lot 1 of G. W. Hart's Subdivision of Quarter Township 2, Township 1, Range 16, United States Military Lands, and being all of that parcel conveyed to the City of Gahanna of record in Instrument Number 200111210271207, all references are to the Recorder's Office, Franklin County, Ohio, and further described as:

Beginning, for reference, at the northwesterly corner of Lot 7, of that subdivision entitled "Tri-Land" of record in Plat Book 26, Page 37, said point being in the southerly line of said Lot 1;

thence North 85° 41' 59" West, with said southerly line, a distance of 49.24 feet to a point in the old centerline of Johnstown Road (US Route 62);

thence North 55° 40' 35" East, with said old centerline, a distance of 564.34 feet to an iron pin set in said old centerline and at a southeasterly corner of that 2.81 acre parcel conveyed to Gary E. Green and Jeanne M. Green of record in Official Record 8230J05, and being the True Point of Beginning of herein described parcel;

thence North 01° 25' 56" East, with the easterly line of said 2.81 acre parcel, a distance of 979.97 feet to a iron pin found at the northeasterly corner of said 2.81 acre parcel and in the southerly line of the "Cameron Ridge Condominiums" of record in Condominium Plat Book 98, Pages 29-47;

thence South 85° 29' 43" East, with said southerly line, a distance of 141.24 feet to an iron pin set at a northwesterly corner of that 3.251 acre parcel conveyed to Lynn Mann of record in Deed Book 3699, Page 725, a southwesterly corner of that 6.397 acre parcel conveyed to Lynn Mann of record in Deed Book 3699, Page 147, and a southeasterly corner of said "Cameron Ridge Condominiums";

thence South 03° 49' 21" West, with the westerly line of said 3.251 acre parcel, the westerly line of that 1.249 acre parcel conveyed to Roy J. Yoder of record in Instrument Number 200301140013989, and passing iron pins found at 384.66 feet and 833.13 feet, a distance of 898.62 feet to an iron pin set in said old centerline and at the southwesterly corner of said 1.249 acre parcel;

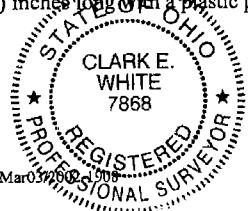
thence South 55° 40' 35" West, with said old centerline, a distance of 127.61 feet to the True Point of Beginning, containing 2.622 acres, more or less, of which 0.153 acre lies within the present roadway of Johnstown Road, leaving a net acreage of 2.469 acres.

Subject, however, to all restrictions, easements, and rights-of-way of record.

Bearings are based on the Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates from Franklin County Geodetic Survey Monument Numbers 69 and 169, having a bearing of North 88° 02' 16" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

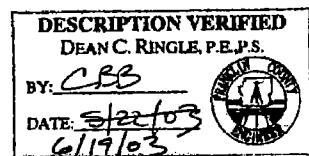
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

O-37-A  
ALL OF  
(025)  
12910



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Clark E. White  
Registered Surveyor No. 7868



**EXHIBIT B**  
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**SEWER AND WATERLINE EASEMENT**  
**0.592 ACRE**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Section 2, Township 1, Range 16, United States Military Lands, being a strip of land across that tract conveyed to Portrait Homes-Gahanna Cove, LLC by deed of record in Instrument Number \_\_\_\_\_, all records refer to the Recorder's Office, Franklin County, Ohio and being described as follows:

Beginning, for reference, at the northeasterly corner of that 0.146 acre tract as conveyed to the City of Gahanna by deed of record in Instrument Number 199901050002866;

thence North 55° 28' 31" East, across Grantor's tract, being the proposed northerly right-of-way line of Johnstown Road, a distance of 352.24 feet to the True Point of Beginning;

thence across Grantor's tract the following courses:

North 01° 25' 56" East, a distance of 5.58 feet to a point;

North 57° 24' 57" East, a distance of 11.46 feet to a point;

North 01° 25' 56" East, a distance of 97.95 feet to a point;

North 43° 34' 04" West, a distance of 16.97 feet to a point;

North 01° 25' 56" East, a distance of 231.81 feet to a point;

North 33° 31' 43" East, a distance of 43.48 feet to a point;

North 11° 00' 31" East, a distance of 55.67 feet to a point;

North 06° 31' 19" West, a distance of 219.58 feet to a point;

North 01° 26' 15" East, a distance of 241.50 feet to a point in Grantor's northerly line;

thence South 85° 29' 43" East, with the northerly line of Grantor's tract, a distance of 31.77 feet to a point;

thence across Grantor's tract, the following courses:

South 03° 29' 31" West, a distance of 238.79 feet to a point;

South 06° 47' 30" East, a distance of 223.34 feet to a point;

**EXHIBIT B**  
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**SEWER AND WATERLINE EASEMENT**

**0.592 ACRE**

**-2-**

South 10° 49' 19" West, a distance of 181.94 feet to a point;

South 01° 01' 21" West, a distance of 148.88 feet to a point;

South 43° 34' 04" East, a distance of 15.39 feet to a point;

South 88° 34' 04" East, a distance of 10.53 feet to a point;

South 01° 25' 56" West, a distance of 58.56 feet to a point;

North 55° 34' 56" East, a distance of 73.83 feet to a point; and

South 03° 49' 37" West, a distance of 11.04 feet to a point in said proposed northerly right-of-way line;

thence South 55° 28' 31" West, with said proposed northerly right-of-way line, a distance of 131.90 feet to the True Point of Beginning, and containing 0.592 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Clark E. White  
Registered Surveyor No. 7868

CEW:cew/may03

