

TEMPORARY EASEMENT

A. Neil Johnson and Laura M. Johnson, Trustees of the Laura & Neil Trust, the Grantor(s), in consideration of the sum of \$1,760.00, to be paid by the City of Gahanna, Franklin County, Ohio, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T

FRA-HEIL-0.07

SEE EXHIBIT A ATTACHED

Franklin County Current Tax Parcel No. 025-002807-00

Prior Instrument Reference: #201602090016215, Franklin County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is six (6) months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF the Laura & Neil Trust by and through A. Neil Johnson and Laura M. Johnson, the Trustees of the Laura & Neil Trust, has hereunto subscribed their names on the 27th day of September 2018.

THE LAURA & NEIL TRUST

By: A Neil Johnson
A. Neil Johnson, Trustee

By: Laura M. Johnson, trustee
Laura M. Johnson, Trustee

STATE OF OHIO, COUNTY OF Franklin ~~Choose an item.~~ SS:

BE IT REMEMBERED, that on the 27 day of September, 2018, before me the subscriber, a Notary Public in and for said state and county, personally came the above named A. Neil Johnson and Laura M. Johnson, who acknowledged being the Trustees of Laura & Neil Trust, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Laura & Neil Trust.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



ABIGAIL JANE VILYUS
NOTARY PUBLIC
FOR THE
STATE OF OHIO
My Commission Expires
March 6, 2019

Abigail Jane Vilyus
NOTARY PUBLIC
My Commission expires: 3/6/2019

This document was prepared by: or for the City of Gahanna, Franklin County, Ohio

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 02/09/2018

PID 106415

**PARCEL 1-T
FRA-HEIL-0.07
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT A BRIDGE
FOR 6 MONTHS FROM DATE OF ENTRY BY THE
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, Franklin County, City of Gahanna, Mifflin Township, Quarter Township 3, Township 1 N, Range 17 W, United States Military District Land and being a 0.021 acre parcel out of a 0.360 acre tract of known as Franklin County Auditor's Parcel number 025-002807-00 conveyed to A. Neil Johnson and Laura M. Johnson, Trustees of The Laura & Neil Trust (hereafter referred to as "Grantor") by the instrument filed as Instrument Number 201602090016215 (all documents referenced are to the records of Franklin County unless otherwise stated), the said 0.021 acre parcel also being part of Lot 52 of Gahanna Heights No. 2 filed as Plat Book 33, page 62.

Being a parcel of land lying on the left side of the existing centerline of right-of-way of Heil Drive and more particularly described as follows:

BEGINNING at a point on the northerly right-of-way line of Heil Drive and on the Grantor's southeasterly corner, the said point being 30.00 feet left of station 20+10.85 of the centerline of right-of-way of Heil Drive and being the TRUE POINT OF BEGINNING of the parcel herein described.

Thence along the said northerly right-of-way line and along the Grantor's southerly line and with a curve to the right, said curve having a central angle of 00 degrees 53 minutes 28 seconds, a radius of 2661.24 feet, an arc length of 41.39 feet, and a long chord which bears North 86 degrees 46 minutes 05 seconds West for a distance of 41.39 feet to a point being 30.00 feet left of station 19+69.00;

Thence crossing through the lands of the Grantor, North 55 degrees 24 minutes 10 seconds East for a distance of 62.08 feet to a point being 68.00 feet left of station 20+19.00;

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

Thence continuing through the lands of the Grantor, South 63 degrees 37 minutes 21 seconds East for a distance of 5.80 feet to a point on the Grantor's easterly line being 65.66 feet left of station 20+24.15;

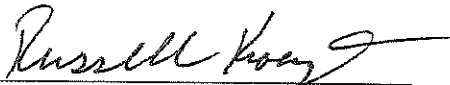
Thence along the Grantor's easterly line, South 23 degrees 09 minutes 19 seconds West for a distance of 38.07 feet to the TRUE POINT OF BEGINNING, containing 0.021 acres, more or less, of which 0.000 acres are contained within the present road occupied, resulting in a net take of 0.021 acres out of Franklin County Auditor's Parcel number 025-002807-00.

Prior instrument of record as of this writing recorded as Instrument Number 201602090016215 in the records of Franklin County.

This description was prepared by Russell Koenig, Ohio Registered Professional Surveyor number 8358, and is based on an actual field survey conducted by DLZ Ohio, Inc. in 2017 through 2018 under his direct supervision.

The bearing for this description are based on Ohio State Plane Coordinated system, South Zone and the North American Datum of 1983 with the 2011 adjustment (NAD83(2011)).

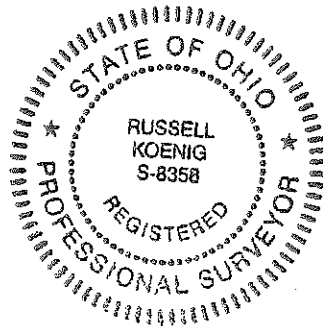
The station referenced herein are from the plans known as "FRA-HEIL-0.07" on file with the City of Gahanna.



Russell Koenig, S-8358

02-09-2018

Date





Instrument Number: 201602090016214
Recorded Date: 02/09/2016 2:32:00 PM



Terry J. Brown
 Franklin County Recorder
 373 South High Street, 18th Floor
 Columbus, OH 43215
 (614) 525-3930
<http://Recorder.FranklinCountyOhio.gov>
Recorder@FranklinCountyOhio.gov

FranklinCountyRecorderTerryBrown @RecorderBrown

Transaction Number: T20160008177
Document Type: TRUST
Document Page Count: 3

Submitted By (Walk-In):
 CROWN SEARCH SERVICES

Walk-In

Return To (Box):
 CROWN SEARCH SERVICES

Box

First Grantor:
 A NEIL JOHNSON

First Grantee:
 A NEIL JOHNSON , TR

Fees:

| | |
|-------------------------|----------------|
| Document Recording Fee: | \$28.00 |
| Additional Pages Fee: | \$8.00 |
| Total: | \$36.00 |

Instrument Number: 201602090016214
Recorded Date: 02/09/2016 2:32:00 PM

OFFICIAL RECORDING COVER PAGE

DO NOT DETACH

THIS PAGE IS NOW PART OF THIS RECORDED DOCUMENT

NOTE: If the document data differs from this cover sheet, the document data always supersedes the cover page.
 COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

3
2 3

Memorandum of Trust
Laura & Neil Trust

This Memorandum of Trust is made pursuant to Section 5301.255 of the Ohio Revised Code. The currently acting Trustees of the Laura & Neil Trust dated January 28, 2016 declare as follows:

1. The Grantor(s) of the trust are A. Neil Johnson and Laura Johnson.
2. The trust is irrevocable.
3. The currently acting Trustees of the trust are:

| | |
|---------------------|---------------------|
| A. Neil Johnson | Laura Johnson |
| 270 Milan Drive | 270 Milan Drive |
| Gahanna, Ohio 43230 | Gahanna, Ohio 43230 |
4. The Trustees may conduct business on behalf of the trust without the consent of any other person or entity. The signatures of the Trustees are sufficient to exercise the powers of the Trustees.
5. Assets held in the trust may be titled in any manner that identifies the Trustees and the name and date of the trust, *for example*:

A. Neil Johnson and Laura Johnson, Trustees of the Laura & Neil Trust, dated January 28, 2016.
6. The corpus of the trust includes real property in Franklin County, Ohio. The property address is:

270 Milan Drive, Gahanna, Ohio 43230

See "EXHIBIT A" for full description.

- 7. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests of all kinds, including accounts at financial institutions.
- 8. Excerpts from the trust agreement that establish the trust, designate the Trustees, and set forth the powers of the Trustees will be provided upon request.
- 9. The trust agreement provides that a third party may rely on this Memorandum of Trust in lieu of a copy of the trust agreement. It further exonerates third parties from any liability for acts or omissions in reliance on this Memorandum of Trust, and for the application that the Trustees make of funds or other property delivered to the Trustees.

The statements made above are accurate and the trust has not been revoked or amended in any way that would cause the representations in this Memorandum of Trust to be incorrect. The currently acting Trustees of the trust are identified above and are signatories to this Memorandum of Trust.

Dated: January 28, 2016

Dated: January 28, 2016

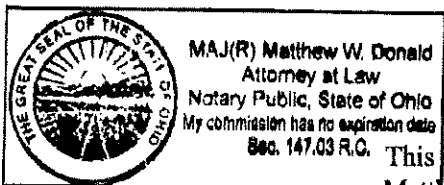
A. Neil Johnson, Trustee
A. Neil Johnson, Trustee

Laura Johnson, Trustee
Laura Johnson, Trustee

STATE OF OHIO)
) ss:
COUNTY OF FRANKLIN)

BE IT REMEMBERED, that on January 28, 2016, before me, the subscriber, a Notary Public, in and for said county, personally came A. Neil Johnson and Laura Johnson, Trustees of the Laura & Neil Trust, who acknowledged the signing thereof to be their voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



Matthew W. Donald
NOTARY PUBLIC

This instrument was prepared by:
Matthew W. Donald, Esq., LL.M.
38 Commerce Park Drive, Ste. B, Westerville, Ohio 43082
614/423-8570

"EXHIBIT A"

Situated in the County of Franklin, in the State of Ohio, and in the City of Gahanna and being more particularly described as follows:

Being all of Lot Number Fifty-two (52) of Gahanna Heights Subdivision, No. 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 33, pages 62 and 63, Recorder's Office, Franklin, Ohio, except the following described northerly part of said Lot No. 52, which excepted part is bounded and described as follows:

Beginning at an iron pin, said iron pin being the Northeast corner of said Lot 52; thence with the east line of said Lot, South 20 degrees 4' West 18.37 feet to an iron pin; thence across said lot North 88 degrees 57' 20" West, 129.80 feet to an iron pin on the East line of Milan Drive, said iron pin being 16 feet northerly of the point of curvature of a curve to the left, said curve having a radius of 1260 feet and delta of 4 degrees 36'; thence along the arc of said curve on a chord bearing in distance North 3 degrees 36' 55" East 19 feet to an iron pin, said iron pin being the N.W. corner of said lot; thence along the North line of said Lot South 88 degrees 23' 54" East 134.89 feet to the place of beginning.

Prior Deed Reference: Volume 3623, Page 34

Property Address: 270 Milan Drive, Gahanna, Ohio 43230

Parcel No.: 025-002807

VALUE ANALYSIS

OWNER'S NAME

A. Neil Johnson and Laura M.
Johnson, Trustees

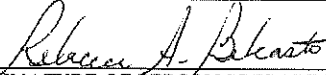
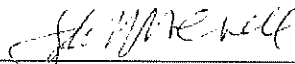
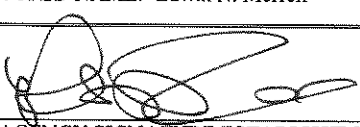
COUNTY FRA
ROUTE HEIL
SECTION 0.07
PID# 106415-467994

Based on comparable sales, which are attached, the following compensation has been established.
 Temporary taking(s) have been based on a 6-Month period.

| Parcel # | Net Take Area | Land | Improvements | Remarks | Total |
|----------|---------------|---|---|--|---------|
| 1-T | 0.021 acs. | @ \$200,000 /ac. x 10% x 0.5-Years = \$210 | 300± SF of Perennial Groundcover @ \$1.00 /SF = \$300 | Lawn sod will be re-seeded, if disturbed. | \$510 |
| 1-T | | | 5-Large Natural Growth Trees @ \$250 /ea. = \$1,250 | Balance of the take area is considered to be natural growth - Merged with Land Value | \$1,250 |
| 1-T | | | Pile of Railroad Ties (Personal Property) = \$0 | | \$0 |
| | | | | | |
| | | | | | |
| | | | | Total: | \$1,760 |

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

| | | | |
|---|------------------|--|------------------|
|  SIGNATURE OF PERSON PREPARING ANALYSIS TYPED NAME: Rebecca A. Belcastro | 8/7/2018 DATE |  REVIEWER'S CONCURRENCE TYPED NAME: Edwin N. Merrell | 8/8/2018 DATE |
| NAME OF AGENCY (IF DIFFERENT FROM ODOT) City of Gahanna | |  AGENCY SIGNATURE ESTABLISHING FMVE TYPED NAME: Robert S. Priestas, P.E. | |
| TITLE: Director of Public Service and Engineering | | 8/15/18 DATE | |
| ADMINISTRATIVE SETTLEMENT: | | | |
| SIGNATURE _____ TYPED NAME: _____ | DATE _____ | F.M.V.E. AMOUNT _____ ADDITIONAL AMOUNT _____ TOTAL SETTLEMENT _____ | |

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

TITLE REPORT

| | |
|--------|-------------------|
| C/R/S | FRA-HEIL- 0.07 |
| PARCEL | 1-T |
| PID | 106415 |
| SJN | 467994 |

INSTRUCTION:

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." City of Gahanna, Ohio expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) City of Gahanna, Ohio procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (I)(J) of the Ohio Department of Transportations Real Estate Procedures Manual.

(1) FEE OR OTHER PRIMARY OWNERS

| Name & Address | Marital Status (Spouse's Name) | Interest |
|--|--------------------------------|------------------------------|
| A. Neil Johnson and Laura M. Johnson, Trustees of the Laura & Neil Trust | NA | Fee Simple, Full Interest |

*See item #4

Parcel & Mailing Address:

270 Milan Drive, Gahanna, OH 43230

(2) BRIEF DESCRIPTION OF SUBJECT PREMISES

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: 201602090016215 (Attached)

County of Franklin, State of Ohio, City of Gahanna

Part of Lot Number 52 of Gahanna Heights Subdivision No. 2, as recorded in Plat Book 33, Pages 62-63

APN: 025-002807-00 (0.38 acres)

(3-A) MORTGAGES, LIENS AND ENCUMBRANCES

| Name & Address | Date Filed | Amount & Type of Lien |
|----------------|------------|-----------------------|
| None Found | | |

(3-B) LEASES

| Name & Address | Commercial/Residential | Term |
|----------------|------------------------|------|
| None Found | | |

(3-C) EASEMENTS

| Name & Address | Type |
|----------------|------|
| None Found | |

(4) DEFECTS IN TITLE-IRREGULARITIES-COMMENTS (Record or Off Record)

*See attached Trust recorded in 201602090016214

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Franklin Township: Mifflin School District: Gahanna Jefferson CSD

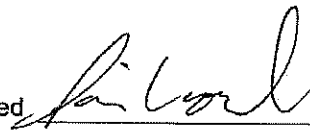
| AUD. PAR. NO(S) | Land – 100% | Building – 100% | Total – 100% | Taxes – ½ year |
|-----------------|-----------------|------------------|------------------|--|
| 025-002807-00 | <u>\$36,800</u> | <u>\$156,900</u> | <u>\$193,700</u> | <u>\$1,944.90 – first half 2017 paid</u> |

(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes: No:
Comments:

This Title Report covers the time period from 5/14/1969 to 7/12/2018. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 1-T and presently standing in the name of A. Neil Johnson and Laura M. Johnson, Trustees of the Laura & Neil Trust as the same are entered upon the several public records of Franklin County, Ohio.

Date & Time 7/12/2018 7:59 am (am/pm)

Signed 

Print Name Iain Crouch

UPDATE TITLE BLOCK

This Title Report covers the time period from _____ to _____. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) _____ and presently standing in the name of _____ as the same are entered upon the several public records of Franklin County, Ohio.

Date & Time _____ (am/pm)

Signed _____

Print Name _____

Comments from the agent who prepared the Title Update