

CITY OF GAHANNA
CONTRACT OF SALE AND PURCHASE

This Agreement entered into on the below date by and between Ellen LePera Trust hereinafter called the Owners, hereby agrees to grant, sell, bargain and convey to the City of Gahanna, the following described easement:

See attached Exhibit "A"

The City of Gahanna agrees to purchase said easement and agrees to pay the full sum of \$ 12,665 as full compensation and damages for same and as full consideration for the covenants of Owner herein contained. The City further agrees to the following:

- 1) To provide a tap for a sanitary sewer lateral within the proposed easement on the sewer.
- 2) To remove the tree within the proposed easement on top of the bank.
- 3) To access the site by means the existing gravel drive and to restore the drive.

Owner shall sell and convey the above described easement by _____ and shall deliver said deed to the City at the time of closing and which closing shall occur no later than 45 days after the date hereof and at which closing the City shall pay the aforesaid consideration of \$ _____.

Owner hereby grants to the City, its employees, agents, consulting engineers, contractors and other representative the right to enter upon and have exclusive possession of the heretofore described real estate.

Owner further agrees, that if for any reason the City determines it to be necessary to file Complaint in the Court of Common Pleas of Franklin County for the impaneling of a jury to assess the compensation to be paid for the heretofore described real estate, this contract may be introduced in evidence in such proceedings and the amount specified therein shall be deemed and stipulated to be the fair market value of the interest acquired in the real estate.

This contract shall be binding upon Owner and Owner's heirs, executors, administrators, successors and assigns and shall inure to the benefit of the Purchaser, its successors and assigns.

DATE _____

OWNER _____

CITY OF GAHANNA by ORD _____

DATE _____

Mayor, City of Gahanna

EXHIBIT A

DONALD E. & JUDY A. SPIRES
0.602 ACRES
DB 3582, PG 702
522 E JOHNSTOWN

DONALD F. & DORIS ROWE
0.775 ACRES
INSTR. No. 199709020083594
510 EAST JOHNSTOWN

PERMANENT SANITARY SEWER
EASEMENT 1119 SQUARE FEET
ELLEN L. LEPERA SU-TR
0.9824 ACRES
ORV 28511A19
496 EAST JOHNSTOWN

CITY OF GAHANNA
2.5716 ACRES
200812310185794

EXISTING 15'
EASEMENT
PROPOSED 20'
EASEMENT

①

②

③

TREE →
TOP BANK

C/L DITCH

FOOT BRIDGE

100
50
0 10