

Project Name: Price Road Sanitary Sewer

**CITY OF GAHANNA**

**CONTRACT OF SALE AND PURCHASE**

This Agreement is entered into on the below date by and between **Joseph Edward Bisang, Co-Trustee, and Charma Lee Buttgen, Co-Trustee, and Mark Edwin Bisang, Co-Trustee**, hereinafter called Owner, and the City of Gahanna, hereinafter called City. Owner hereby agrees to grant, sell, bargain and convey to City the following described real estate, together with improvements now located thereon:

**Parcel SE (0.020 acre)**

**Parcel T (0.019 acre)**

See Attachment(s) *Exhibits A, B, & C*  
(Legal Description)

*\$5,190.00 JEB*  
City agrees to purchase said real estate and agrees to pay the full sum of ~~MDR \$4,190.00~~ *\$5,190.00* as full compensation and damages for same and as full consideration for the covenants of Owner herein contained.

Owner shall sell and convey the above described real estate by **Deed of Easement and Temporary Easement** and shall deliver said **Deed of Easement and Temporary Easement** to City at the time of closing. The closing shall occur no later than 75 days after the date hereof and, at the closing, City shall pay the aforesaid consideration of ~~\$4,190.00~~ *\$5,190.00* *JEB*

Owner warrants that the real estate is free and clear of all liens and encumbrances, except mortgages, taxes, easements, conditions and restrictions of record. Owner shall cause any such liens and encumbrances to be removed or released of record on or before the date of closing as aforesaid, except easements, conditions and restrictions of record.

Owner agrees to execute supplemental instruments if necessary for the construction and maintenance of the project, over, across and upon the aforementioned property.

Owner shall be liable for all taxes on the property up to and including the date of closing.

Owner hereby grants to the City, its employees, agents, consulting engineers, contractors and other representatives 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 necessary to file a complaint in the Court of Common Pleas of Franklin County for the purpose of impaneling a jury to assess the compensation to be paid for the heretofore described real estate, this contract may be introduced into evidence in such proceedings and the amount specified herein 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 City, its successors and assigns.

OWNER(S):

DATE 8-9-2017

Joseph E Bisang  
Joseph Edward Bisang, Co-Trustee

DATE \_\_\_\_\_

\_\_\_\_\_  
Charma Lee Buttgen, Co-Trustee

DATE \_\_\_\_\_

\_\_\_\_\_  
Mark Edwin Bisang, Co-Trustee

CITY OF GAHANNA:

DATE \_\_\_\_\_

\_\_\_\_\_  
City Engineer

By:

Maia Fern  
Negotiator

Exhibit A

**SANITARY SEWER EASEMENT  
0.020 ACRE**

Situated in the State of Ohio, County of Franklin, City of Gahanna, in Quarter Township 4, Township 1, Range 17, United States Military Lands, being a strip of land on, over, and across that 0.90 acre tract of land conveyed to Joseph Edward Bisang, Charma Lee Buttgen, and Mark Edwin Bisang, Trustees by deed of record in Instrument Number 201206010077394, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

**BEGINNING** at the northwesterly corner of said 0.90 acre tract and in the centerline of Price Road;

thence South 86° 08' 20" East, with said centerline, a distance of 4.83 feet to a point;

thence South 03° 54' 11" West, crossing said 0.90 acre tract, a distance of 168.37 feet to a point;

thence North 86° 05' 49" West, crossing said 0.90 acre tract, a distance of 5.44 feet to a point;

thence North 04° 06' 40" East, with the westerly line of said 0.90 acre tract, a distance of 168.37 feet to the **POINT OF BEGINNING**, containing 0.020 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

*Matthew A. Kirk*

23 March 16

Matthew A. Kirk  
Professional Surveyor No. 7865

Date

MAK:sg  
0\_020 ac Bisang 20150087-VS-ESMT-SSWR-N-06.doc

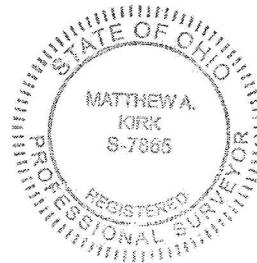


Exhibit B

**TEMPORARY EASEMENT  
0.019 ACRE**

Situated in the State of Ohio, County of Franklin, City of Gahanna, in Quarter Township 4, Township 1, Range 17, United States Military Lands, being a strip of land on, over, and across that 0.90 acre tract of land conveyed to Joseph Edward Bisang, Charma Lee Buttgen, and Mark Edwin Bisang, Trustees by deeds of record in Instrument Numbers 200411120260048 and 201206010077394, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

*BEGINNING, FOR REFERENCE*, at the northwesterly corner of said 0.90 acre tract and in the centerline of Price Road;

thence South 86° 08' 20" East, with said centerline, a distance of 4.83 feet to the *TRUE POINT OF BEGINNING*;

thence South 86° 08' 20" East, with said centerline, a distance of 5.00 feet to a point;

thence South 03° 54' 11" West, crossing said 0.90 acre tract, a distance of 168.37 feet to a point;

thence North 86° 05' 49" West, crossing said 0.90 acre tract, a distance of 5.00 feet to a point;

thence North 03° 54' 11" East, crossing said 0.90 acre tract, a distance of 168.37 feet to the *TRUE POINT OF BEGINNING*, containing 0.019 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

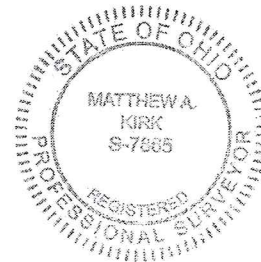
*Matthew A. Kirk*

23 MARCH 16

Matthew A. Kirk  
Professional Surveyor No. 7865

Date

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0\_019 ac Bisang 20150087-VS-ESMT-SSWR-N-06.doc



**EMH&T**  
 Evans, Mechtort, Hambleton & Tilton, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 5000 New Albany Road, Columbus, OH 43054  
 Phone: 614.775.4500  
 emht.com

**SANITARY SEWER EASEMENT**  
 QUARTER TOWNSHIP 4, TOWNSHIP 1, RANGE 17  
 UNITED STATES MILITARY LANDS  
 CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO

Date: March 23, 2016  
 Scale: 1" = 40'  
 Job No. 2015-0087

PRICE ROAD  
 RIGHT-OF-WAY WIDTH UNDETERMINED

LINE	BEARING	DISTANCE
L1	S86°08'20"E	4.83'
L2	N86°05'49"W	5.44'
L3	S86°08'20"E	5.00'
L4	N86°05'49"W	5.00'

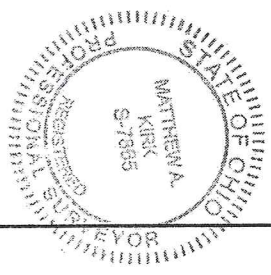


31,20150087.DWG/04SHR/EG/SAB/EMH&T/20150087-VG-ESMT-SSWE-R-06.DWG plotted by KRK, MATHEW on 3/24/2016 12:09:55 PM last saved by MMRK on 3/24/2016 11:58:50 AM

JEFFREY L. STEINER  
 I.N. 200003200053803  
 I.N. 200902020012187

By Matthew A. Kirk  
 Matthew A. Kirk  
 Professional Surveyor No. 7865

23 March 16  
 Date



TIMOTHY J. STEINER  
 1.03 AC. (DEED)  
 I.N. 200003200053804  
 I.N. 200901210007981  
 P.N. 025-000841

SANITARY SEWER EASEMENT  
 0.020 AC.

N04°06'40"E 168.37'  
 S03°54'11"W 168.37'  
 S03°54'11"W 168.37'

JOSEPH EDWARD BISANG  
 CHARMA LEE BUTTGEN  
 MARK EDWIN BISANG, TRUSTEES  
 I.N. 201206010077394  
 P.N. 025-001040

TEMPORARY EASEMENT  
 0.019 AC.

L1  
 L2  
 L3  
 L4

POB  
 0.020 AC.  
 RPOB  
 0.019 AC.

TPOB  
 0.019 AC.