



Instrument Number: 201704120049171
Recorded Date: 04/12/2017 8:41:53 AM



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Transaction Number: T20170023927
Document Type: EASEMENT
Document Page Count: 4

Submitted By (Walk-In):
GAHANNA BOX

Walk-In

Return To (Box):
GAHANNA BOX

Box

First Grantor:
KATHRYN FRICKEL

First Grantee:
GAHANNA CITY OF

Fees:

Document Recording Fee:	\$28.00
Additional Pages Fee:	\$16.00
Total Fees:	\$44.00
Amount Paid:	\$44.00
Amount Due:	\$0.00

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OFFICIAL RECORDING COVER PAGE

DO NOT DETACH

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If an error on the cover sheet appears on our website after review please let our office know.

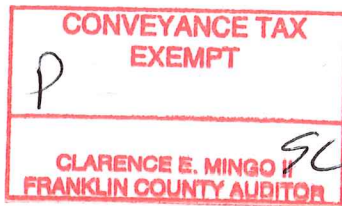
COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

TRANSFER
NOT NECESSARY

APR 12 2017

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

4
34



DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That ___Peter and Kathryn Frickel___ in consideration of the sum of ___One___ Dollar(s) (\$___1.00___) and other good and valuable considerations to them paid by the City of Gahanna, Ohio, a municipal corporation, the receipt of which is hereby acknowledged, do hereby grant and release to said City of Gahanna, Ohio, its successors and assigns, forever, an Easement over and through the following described real estate and shown on Exhibits "A and B" attached hereto and made a part hereof:

SEE ATTACHED EXHIBITS "A AND B"

The Easement is granted for the purpose of constructing, using and maintaining a Storm Sewer and appurtenant works in any part of said strip, including the right to clean, repair and care for said Storm Sewer, together with the right of access to said strip for said purpose. The Easement shall be subject to the following conditions:

1. The Easement will not limit or restrict the landowner's use of the property provided such use is compliant with the City's zoning and/or other applicable property ordinances and regulations.
2. The landowner will submit plans for any installation within the Easement that it desires to make to the City for approval.
3. The City will give the landowner reasonable notice of not less than three (3) days, if reasonably practicable, prior to commencement of any work on the utilities.
4. That the utilities subject to the Easement shall be kept in good order and condition by the City of Gahanna.
5. That during whatever construction, reconstruction, maintenance, or repair work is or becomes necessary with respect to said utilities, so much of the surface or subsurface of the property as may be disturbed, will at the expense of the City be substantially replaced in the same condition as it was prior to such disturbance.

Gahanna Title Bx

6. The City will hold harmless Peter and Kathryn Frickel from any loss, damage, injury or liability resulting from the City's negligence in connection with any work involved in constructing, maintaining or caring for the utilities.
7. No charges will be made against the property or landowner for the cost of construction, maintenance, repair or care for the utilities in the Easement. If the landowner makes an application for a service connection to the utilities, the regular and customary service connection charge in effect at the time of the application shall be charged.
8. In the event all or any portion the property subject to this Easement becomes portion(s) of public streets, in the proceedings for acquisition of the property needed for such streets, whether by purchase, dedication, condemnation, etc., said property shall be considered the same as if this Easement had not been executed and/or as if any rights granted by the Easement had not been exercised.

TO HAVE AND TO HOLD said premises unto said Grantee, the City of Gahanna, Ohio, its successors and assigns, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, Peter and Kathryn Frickel hereby covenants with the Grantee that they are the lawful owners of the above described real estate, that they are lawfully seized of the same in fee simple and have good, right and full power to make this grant, have hereunto set their hand this 3rd day of April, 2017.

Signed Kathryn Dell Frickel, Peter Frickel

STATE OF OHIO)ss:
 COUNTY OF FRANKLIN)

BE IT REMEMBERED, That on this 3rd day of April, 2017,
 Before me, the subscriber, a Notary Public in and for the said State, personally came the above named Peter and Kathryn Frickel, who acknowledged the signing of this instrument to be their voluntary act and deed for the uses and purposes therein mentioned.

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



Jill A. Webb
 Notary Public, State of Ohio
 My Commission Expires 07-08-2020

Jill A. Webb
 Notary Public

My Commission Expires 07-08-2020

This Instrument Prepared By:
City of Gahanna

EXHIBIT A

LOT 179 – RATHBURN WOODS SECTION 4

STORM SEWER EASEMENT

Situated in the State of Ohio, County of Franklin, City of Gahanna, being a strip of land over part of Lot 179 of "Rathburn Woods Section 4" Subdivision, as recorded in Plat Book 68, Pages 14 & 15 (record references recited herein are to those of the Recorder's Office, Franklin County, Ohio), said strip of land being more particularly described as follows:

Beginning in the easterly right-of-way line of Whitley Drive, being at the westerly corner common to Lots 178 and 179 of said Subdivision;

thence easterly along the line common to said Lots 178 and 179, South 86°05'11" East, 141.78 feet to the easterly corner common to said Lots;

thence southerly along the easterly line of said Lot 179, South 3°54'49" West, 21.58 feet;

thence across said Lot 179 the following two (2) courses and distances:

1. North 73°47'41" West, 64.85 feet; And,
2. North 84°35'42" West, 78.44 feet to aforesaid easterly right-of-way line of Whitley Drive;

thence northerly along said line of Whitley Drive, being the westerly line of said Lot 179, North 3°54'49" East, 5.73 feet, returning to the 'Point of Beginning,' containing 1460 square feet of land, more or less, as described in October of 2016, by Carl E. Turner Jr., Registered Professional Surveyor No. 6702.

Subject, however, to all legal rights-of-way, if any, of previous record.

Bearings in the foregoing description are referenced to that meridian used for the aforesaid "Rathburn Woods Section 4" Subdivision.

Terra Surveying Services, LLC



Carl E. Turner Jr.
Professional Surveyor No. 6702
19 October 2016



End of Description

EXHIBIT B

T TERRA
Surveying Services LLC

238 Academy Woods Drive
Gahanna, Ohio 43230-2184
614.471.0663

www.terrasurveyingservices.com

EASEMENT EXHIBIT - LOTS 178 & 179
"RATHBURN WOODS SECTION 4"
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

PREPARED EXCLUSIVELY FOR:
CITY OF GAHANNA, OHIO

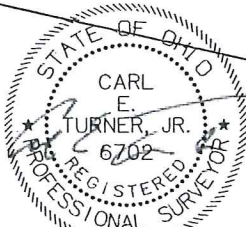
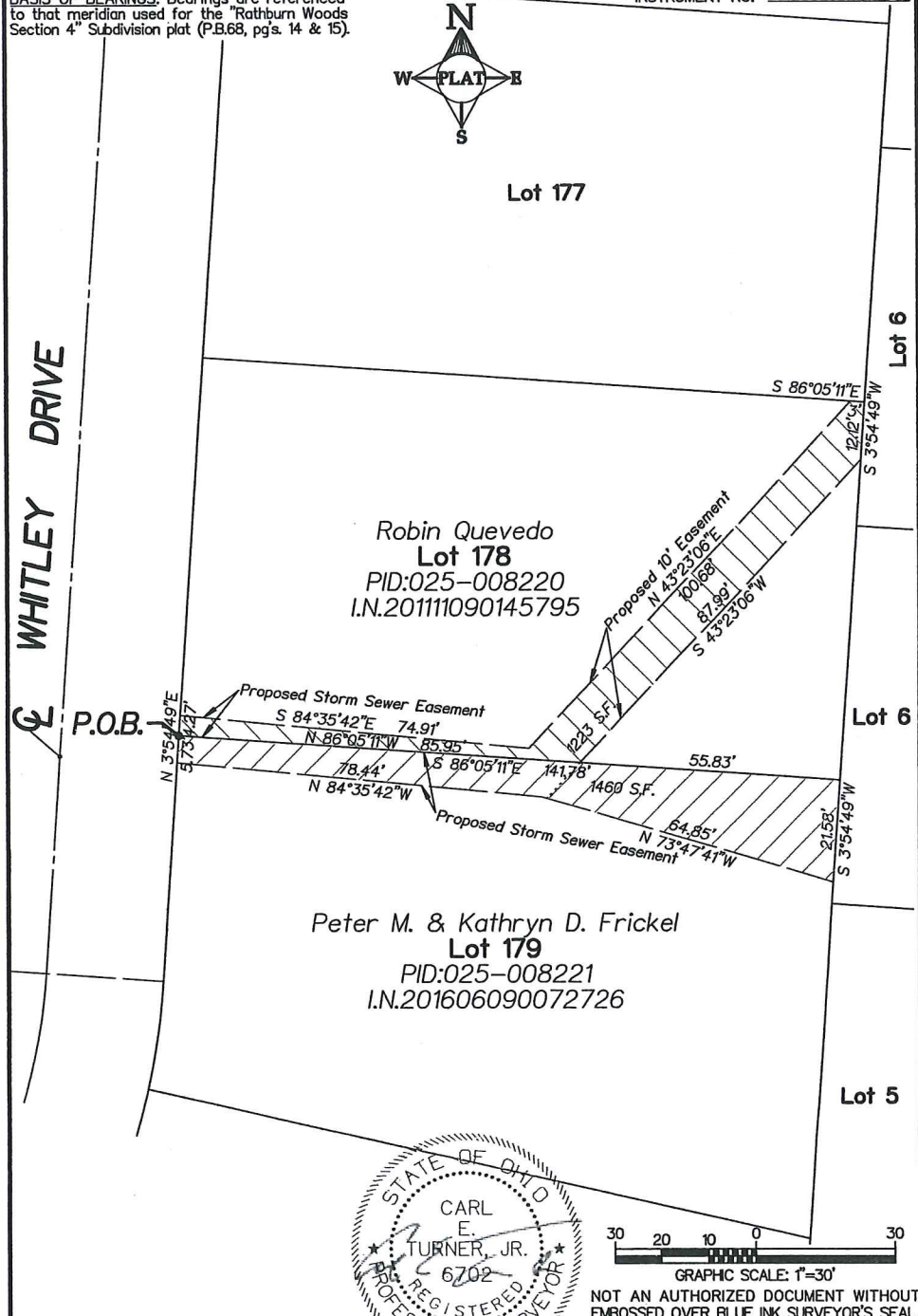
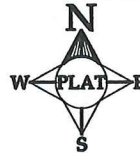
3 AUGUST 2016
Rev. 19 OCT.2016

PLAT BOOK 68, PAGE 14 & 15

INSTRUMENT NO. 201606090072726

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BASIS OF BEARINGS: Bearings are referenced to that meridian used for the "Rathburn Woods Section 4" Subdivision plat (P.B.68, pgs. 14 & 15).



30 20 10 0 30
GRAPHIC SCALE: 1"=30'

NOT AN AUTHORIZED DOCUMENT WITHOUT EMBOSSED OVER BLUE INK SURVEYOR'S SEAL

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FIELD SURVEY: CT/VRS/X9H	DRAWN BY: C. Turner	TERRA FILE #: 25.0.GAH.119.16
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