

## **DEED OF EASEMENT**

KNOW ALL PERSONS BY THESE PRESENTS that **VALUE RECOVERY GROUP II, LLC**, an Ohio limited liability company (the "**Grantor**") for One Dollar (\$1.00) and other good and valuable consideration, which Grantor acknowledges the receipt and sufficiency of, given by the **CITY OF GAHANNA**, a municipal corporation (the "**Grantee**"), whose tax mailing address is 200 South Hamilton Road, Gahanna, Ohio 43230, does forever grant to Grantee, its successors and assigns, an Easement over and through the following described "**Property**", as shown on Exhibits A and B attached and incorporated by reference:

**Property:** Franklin County Parcel No. 027-000110  
5847 Taylor Road, Gahanna, Ohio 43230  
Comprising 12.392 acres, more or less

The Property is situated in the State of Ohio, County of Franklin, City of Gahanna, and further described in the attached Exhibit A. The "**Easement**" or the "**Easement Area**" is further described in the attached Exhibit B.

---

## **TERMS AND CONDITIONS**

The Easement is granted for the purpose of constructing, using and maintaining a public storm line and appurtenant works (the "**Utilities**") in any part of the Easement Area, including the right to clean, repair and care for said Utilities, together with the right of access to the Easement Area for said purpose. The Easement shall be subject to the following conditions:

1. The Easement will not limit or restrict Grantor's use of the Property, provided such use is compliant with Grantee's zoning and/or other applicable Property ordinances and regulations.
2. Grantor will submit plans for any installation within the Easement Area that it desires to make to Grantee for approval.


3. Grantee will give Grantor reasonable notice of not less than three (3) days, to the extent 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 Grantee.
5. That during whatever construction, reconstruction, maintenance, or repair work that 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 Grantee, be substantially replaced in the same condition as it was prior to such disturbance.
6. Grantee will hold harmless Grantor from any loss, damage, injury or liability resulting from the Grantee's negligence in connection with any work involved in constructing, maintaining, repairing, or otherwise caring for the Utilities.
7. No charges will be made against the Property or the Grantor (or any subsequent owner of the Property) for the cost of construction, maintenance, repair or care for the Utilities in the Easement Area. If Grantor makes and application for a service connection to the Utilities, the regular and customary service charge in effect at the time of the application shall be charged.
8. If all or any portion of the Easement Area becomes a portion of public street(s), in the proceedings for acquisition of the Property needed for such streets, whether by purchase, dedication, condemnation, or otherwise, the 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.
9. This Deed of Easement and all its provisions are covenants forever: (i) burdening, benefiting, and running with the land of the Property in its chain-of-title, and (ii) inuring and binding to the benefit and detriment of Grantor and Grantee and their respective applicable successors and assigns.
10. Grantor forever releases and discharges Grantee from all just compensation claims under the Ohio Constitution, Article I, Section 19, arising from granting the Property to Grantee. Grantor agrees this section survives the termination of this Deed of Easement or of any reversion of the Property.
11. Grantee: (i) intends to immediately utilize the Property for storm line purposes upon Grantor's execution of this Deed of Easement; and, (ii) will subsequently accept, dedicate, and name the Property as an easement, as evidenced by the recording of this Deed of Easement.

IN WITNESS WHEREOF, the parties hereto have executed this Easement as of the date first set forth above.

**City of Gahanna,**  
an Ohio municipal corporation

**Value Recovery Group II, LLC**  
an Ohio limited liability company  
By: Value Recovery Group, Inc., an  
Ohio Corporation  
Its: Manager-Member

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By:   
Print Name: Ralph E. Griffith  
Its: CEO and president of Value Recovery Group Inc., the Managing member of Value Recovery group II LLC

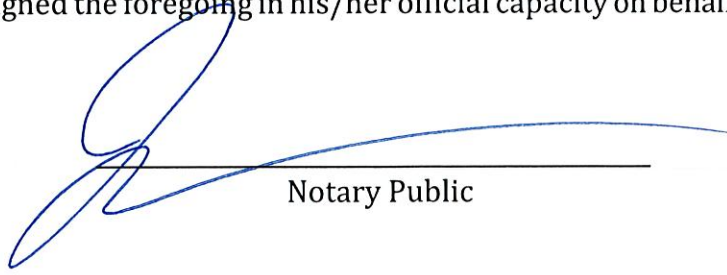
State of Ohio :  
:SS  
County of Franklin :

On the \_\_\_ day of \_\_\_\_\_, 2022, \_\_\_\_\_ appeared before me in his/her official capacity as \_\_\_\_\_, an authorized agent of the City of Gahanna, and signed the foregoing in his/her official capacity on behalf of that entity.

\_\_\_\_\_  
Notary Public

State of Ohio :  
:SS  
County of Franklin :

On the 14<sup>th</sup> day of July, 2022, Ralph E. Griffith appeared before me in his/her official capacity as CEO + President of Managing Member, an authorized agent of Value Recovery Group II, LLC, and signed the foregoing in his/her official capacity on behalf of that entity.

  
\_\_\_\_\_  
Notary Public



**Jordan Fromm**  
Notary Public, State of Ohio  
My Commission Expires  
April 8, 2024

# PLAT OF EASEMENT

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF GAHANNA,  
 LOT 26, QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 16,  
 UNITED STATES MILITARY LANDS.

### BASIS OF BEARINGS:

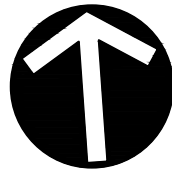
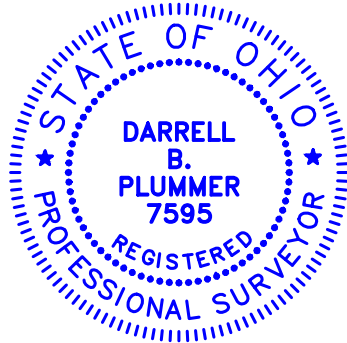
THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE BEARING OF NORTH 03°42'23" EAST AS DETERMINED FOR THE CENTERLINE OF SCIENCE BOULEVARD BASED ON FIELD OBSERVATIONS PERFORMED IN JULY 2021, AND BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (NSRS 2011 ADJUSTMENT).

### PERTINENT DOCUMENTS:

DEEDS OF RECORD ON FILE AT THE FRANKLIN COUNTY RECORDER'S OFFICE, EXISTING CEC SURVEYS, SURVEYS OF RECORD & TAX MAPS ON FILE AT FRANKLIN COUNTY.

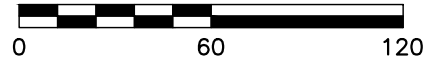
### ACREAGE BREAKDOWN:

ACREAGE OUT OF PARCEL 5 = 0.002 AC  
 ACREAGE OUT OF PARCEL 6 = 0.018 AC



NORTH

SCALE IN FEET



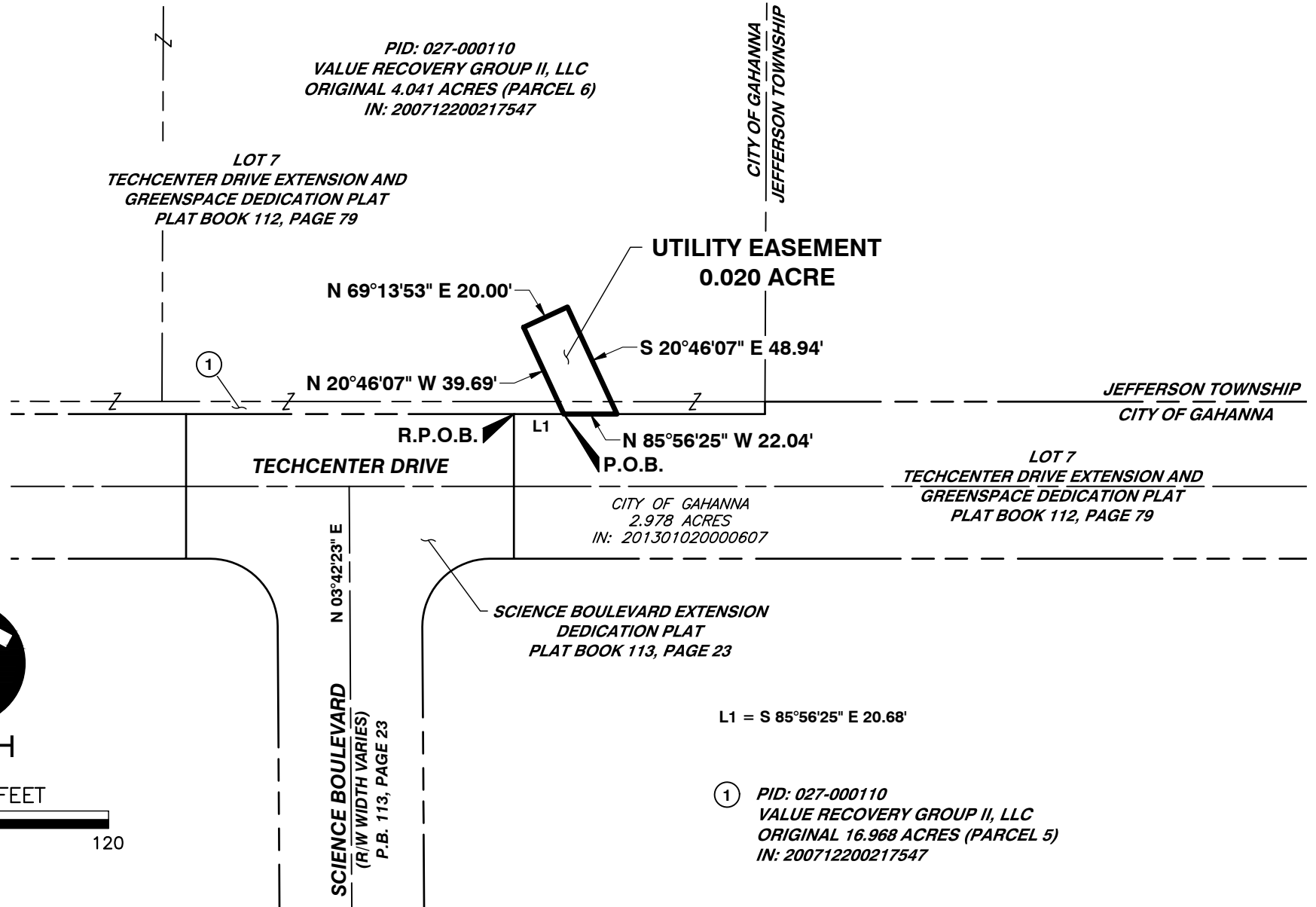
### CERTIFICATION:

THE FOREGOING EASEMENT WAS PREPARED FROM AN ACTUAL FIELD SURVEY PERFORMED BY OR UNDER MY DIRECT SUPERVISION IN JULY, 2021.

*Darrell B. Plummer* 06/15/2022

DARRELL B. PLUMMER DATE  
 PROFESSIONAL LAND SURVEYOR NO. 7595

PID: 027-000110  
 VALUE RECOVERY GROUP II, LLC  
 ORIGINAL 4.041 ACRES (PARCEL 6)  
 IN: 200712200217547



**Civil & Environmental Consultants, Inc.**

250 W. Old Wilson Bridge Road · Suite 250 · Worthington, OH 43085  
 614-540-6633 · 888-598-6808  
 www.cecinc.com

FED ONE DUBLIN, LLC  
 FRANKLIN COUNTY, OHIO

0.020 ACRE UTILITY EASEMENT

DRAWN BY:	KAS	CHECKED BY:	DBP	APPROVED BY:	DBP	EXHIBIT:	<b>ESMT</b>
DATE:	JUNE 2022	DWG SCALE:	1" = 60'	PROJECT NO:	312-263		

P:\310-000\312-263\Survey\Draw\312263-SV01-ESMT\_UT\_0.020 AC.dwg\LAYOUT1 LS:(6/13/2022 - kasmitk) - LP: 6/15/2022 11:27 AM

### DESCRIPTION OF 0.020 ACRE UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Gahanna, being part of Lot 26, Quarter Township 3, Township 1, Range 16, United States Military Lands, being part of Lot 7 of Techcenter Drive Extension and Greenspace Dedication Plat of record in Plat Book 112, Page 79, being part of an original 16.968 acre tract of land (Parcel 5) and part of an original 4.041 acre tract of land (Parcel 6) described in deed to Value Recovery Group II, LLC of record in Instrument Number 200712200217547, all references to records being on file in the Office of the Recorder, Franklin County, Ohio, said 0.020 acre easement being more fully described herein;

**BEGINNING FOR REFERENCE** at the northeast corner of Science Boulevard Extension Dedication Plat of record in Plat Book 113, Page 23, and being at the northwest corner of a 2.978 acre tract of land described in deed to City of Gahanna of record in Instrument Number 201301020000607;

Thence South 85°56'25" East, a distance of 20.68 feet with the north line of said 2.978 acre tract, to a point;

Thence through said 16.968 acre tract and said 4.041 acre tract the following three (3) courses:

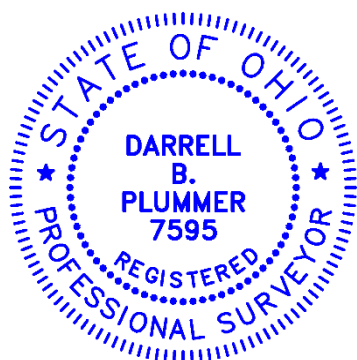
1. **North 20°46'07" West**, a distance of **39.69** feet, to a point;
2. **North 69°13'53" East**, a distance of **20.00** feet, to a point;
3. **South 20°46'07" East**, a distance of **48.94** feet, to a point on the north line of said 2.978 acre tract;

Thence **North 85°56'25" West**, a distance of **22.04** feet, with the north line of said 2.978 acre tract, to the **TRUE POINT OF BEGINNING** containing 0.020 of an acre, subject to all easements and documents of record.

The bearings shown on this survey are based on the bearing of North 03°42'23" East as determined for the centerline of Science Boulevard, based on field observations performed in July 2021, and based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (NSRS 2011 Adjustment).

The foregoing easement was prepared from an actual field survey performed by or under my direct supervision in July, 2021.

#### CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



6/15/2022

Darrell B. Plummer, P.S.  
Registered Surveyor No. 7595

Date