

QUITCLAIM DEED OF ENCROACHMENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF GAHANNA, an Ohio Municipal corporation, for ten Dollars (\$10.00) and other valuable consideration paid the receipt of which is hereby acknowledged, by _____, the Grantees, does hereby quitclaim, for so long as it is used for purposes herein mentioned and subject to the conditions, restrictions and limitations contained herein, unto the said Grantee, their heirs, executors, and assigns, an appurtenant, nonexclusive encroachment easement on the following described real property located at 132 Shepard Street:

As more fully described in attached Exhibits "A" and "B"

1. This easement is granted, subject to the conditions, restrictions and limitations contained herein, for the sole purpose of allowing the Grantees' adjacent structure (the "improvement") to encroach into the Grantor's right-of-way within the said easement, and the Grantees, for themselves and their heirs, executors and assigns, shall be deemed to have agreed to and accepted all such conditions, restrictions and limitations upon the Grantees use of the easement and/or the recordation of this instrument.
2. Grantees shall forever indemnify and hold harmless the Grantor and all of its agents, employees and/or representatives from and against all claims, damages, losses, suits and actions, including attorney's fees, arising or resulting from the Grantees' installation, construction, maintenance. Repair, replacement or removal of the improvement and use of the above described real property by the Grantees', their agents, representatives or invited guests.
3. Grantor expressly reserves unto itself a reversionary interest in the herein described easement. Upon the abandonment, disuse, change of use or removal of the "improvement", razing of the abutting structure, or substantial destruction of the abutting structure without exact replacement thereof within One (1) year of the date of any such action, this appurtenant encroachment easement shall cease and terminate, and the Grantor may file an "affidavit Relating to Title to Real Property" for the purpose of memorializing and giving public notice of such termination of said easement.
4. Upon termination of the easement as described above, the Grantees agree that, as soon as practical after all the entries made pursuant to the rights granted herein, they shall cause the property of the Grantor located within the easement herein described, or any property affected

by such entry, to be restored to its former condition as nearly as is reasonably possible, or shall pay the Grantor, at Grantor's option, for all damages to Grantor's real property, which damage was occasioned by or resulted from the Grantees' installation, construction, maintenance, repair or removal of the improvement, or use and occupation of the easement.

5. The rights granted herein are nonexclusive and shall not be construed to interfere with or restrict the Grantor's paramount right to use, construct and maintain property improvements in, over, under, across and through the subject real property herein described so long as the same are constructed so as not to unreasonably interfere with the uses mentioned herein.

IN WITNESS WHEREOF, The grantor, City of Gahanna, Ohio, by Rebecca W. Stinchcomb its Mayor as authorized by ordinance _____, has hereby executed this instrument.

STATE OF OHIO)ss:

COUNTY OF FRANKLIN)

BE IT REMEMBERED, That on this _____ day of _____, 20____,

before me, the subscriber, a Notary Public in and for the said State, personally came the above named _____, who acknowledged the signing of this instrument to be their voluntary act and deed for the uses and purposes therein mentioned.

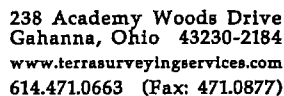
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

My Commission Expires _____

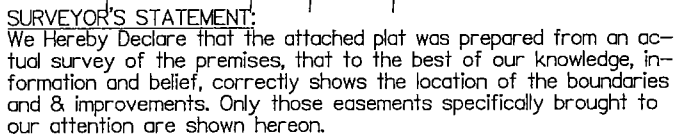
This Instrument Prepared By:

City of Gahanna



CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

PLAT BOOK 4, PAGE 378
INSTRUMENT NO. 199802260043928



NOT AN AUTHORIZED DOCUMENT WITHOUT
EMBOSSSED OVER BLUE SEAL