

CONNOR LANG TITLE F 6/10/01

Instr. #: 200112210200420 12/21/2001  
Pages: 4 F: \$22.00 10:46AM  
Robert G. Neill, Secretary T20010171200  
Franklin County Recorder BXCONNOR L

**SANITARY SEWER EASEMENT**

THAT, CONTINENTAL/EAGLE IV, LLC, an Ohio limited liability company, having an address at 150 E. Broad Street, Suite 800, Columbus, Ohio 43215 ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) to Grantor in hand paid by CITY OF GAHANNA, OHIO, whose address is 200 South Hamilton, Gahanna, Ohio 43230 ("Grantee"), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey unto Grantee a perpetual, non-exclusive easement for the purpose of operating, maintaining, repairing and replacing the sanitary sewer lines located in the area described on Exhibit A attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD the above described easement, unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said easement unto Grantee and its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

This agreement and all of the terms, provisions and obligations hereof shall be covenants running with the land affected thereby and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this easement to be executed as of the date set forth below in the acknowledgment.

**GRANTOR:**

CONTINENTAL/EAGLE IV, LLC

Signed and Acknowledged  
in the Presence of:

*[Handwritten signatures]*

By:

*[Handwritten signature]*  
Mark A. Damante,  
Vice President

STATE OF OHIO  
COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 20th day of Dec., 2001 by Mark A. Damante, Vice President of Continental/Eagle IV, LLC, an Ohio limited liability company, on behalf of the company.

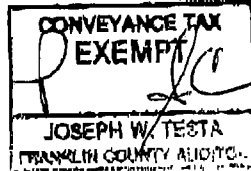
*[Handwritten signature]*  
Notary Public

This instrument prepared by:

Mark A. Damante, Esq.  
Continental Real Estate Companies  
150 East Broad Street, Suite 800  
Columbus, Ohio 43215



NANNETTE C. BUEL  
Notary Public, State of Ohio  
My Commission Expires 10-24-04



**TRANSFERRED  
NOT NECESSARY**

DEC 21 2001

JOSEPH W. TESTA  
AUDITOR  
FRANKLIN COUNTY, OHIO

**EXHIBIT A**

Exhibit A

**SANITARY SEWER EASEMENT  
0.253 ACRE**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Quarter Township 2, Township 1, Range 16, United States Military Lands and being a 15 foot strip of land across that tract conveyed to Continental/Eagle IV, LLC by deed of record in Instrument Number 200012200256629 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly bounded and described as follows:

Beginning, for reference, at a northeasterly corner of the Grantor's tract, the southeasterly corner of that tract conveyed to Park National Bank Successor of Trust of the Morris L. Matlin Trust by deed of record in Official Record 26275118:

thence North 88° 14' 49" West, with Grantor's northerly line, a distance of 54.51 feet to the True Point of Beginning for the description;

thence across Grantor's, the following courses and distances:

South 01° 45' 11" West, a distance of 10.74 feet to a point;

South 13° 00' 03" West, a distance of 80.74 feet to a point;

South 36° 58' 03" East, a distance of 285.34 feet to a point;

South 54° 34' 15" East, a distance of 185.92 feet to a point;

South 71° 43' 10" West, a distance of 12.84 feet to a point;

South 28° 57' 38" East, a distance of 10.75 feet to a point;

North 54° 34' 15" West, a distance of 190.33 feet to a point;

North 36° 58' 03" West, a distance of 288.01 feet to a point;

North 82° 32' 55" West, a distance of 171.97 feet to a point;

North 07° 27' 05" East, a distance of 15.00 feet to a point;

South 82° 32' 55" East, a distance of 168.31 feet to a point;

North 13° 00' 03" East, a distance of 75.95 feet to a point; and

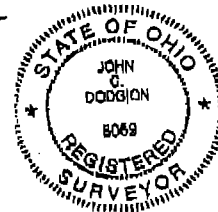
North 01° 45' 11" East, a distance of 9.26 feet to a point in Grantor's northerly line;

thence South 88° 14' 49" East, with said northerly line, a distance of 15.00 feet to the True Point of Beginning containing 0.253 acre of land, more or less.

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

John C. Dodgion  
Registered Surveyor No. 8069



JCD:rmj/01

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**SANITARY SEWER EASEMENT  
0.178 ACRE**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Quarter Township 2, Township 1, Range 16, United States Military Lands and being a 15 foot wide strip of land across those tracts of land conveyed to Continental/Eagle IV, LLC by deeds of record in Instrument Number 200012200256629 and Instrument Number 200011090228265 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly bounded and described as follows;

Beginning, for reference, at the Grantor's southeasterly corner, a northeasterly corner of that tract conveyed to the Stonehenge Company by deed of record in Instrument Number 200003010041021, said corners being in the westerly line of that 2.443 acre tract conveyed to City of Gahanna by deed of record in Instrument Number 200008110161608;

thence North 10° 40' 31" East, with Grantor's easterly line, the westerly line of said 2.443 acre tract, a distance of 33.22 feet to the True Point of Beginning for this description;

thence across Grantor's tract, the following courses and distances:

North 84° 22' 31" West, a distance of 44.45 feet to a point;

North 88° 08' 54" West, a distance of 299.92 feet to a point;

North 85° 39' 42" West, a distance of 171.16 feet to a point;

North 04° 20' 18" East, a distance of 15.00 feet to a point;

South 85° 39' 42" East, a distance of 170.84 feet to a point;

South 88° 08' 54" East, a distance of 300.08 feet to a point; and

South 84° 22' 31" East, a distance of 46.27 feet to a point on Grantor's easterly line;

thence South 10° 40' 31" West, with said Grantor's northerly line, a distance of 15.06 feet to the True Point of Beginning containing 0.178 acre of land, more or less.

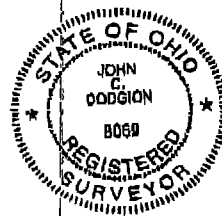
Subject, however, to all legal rights-of-ways and/or easements, if any of previous record.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

John C. Dodgion  
Registered Surveyor No. 8069

JCD:mj/0101

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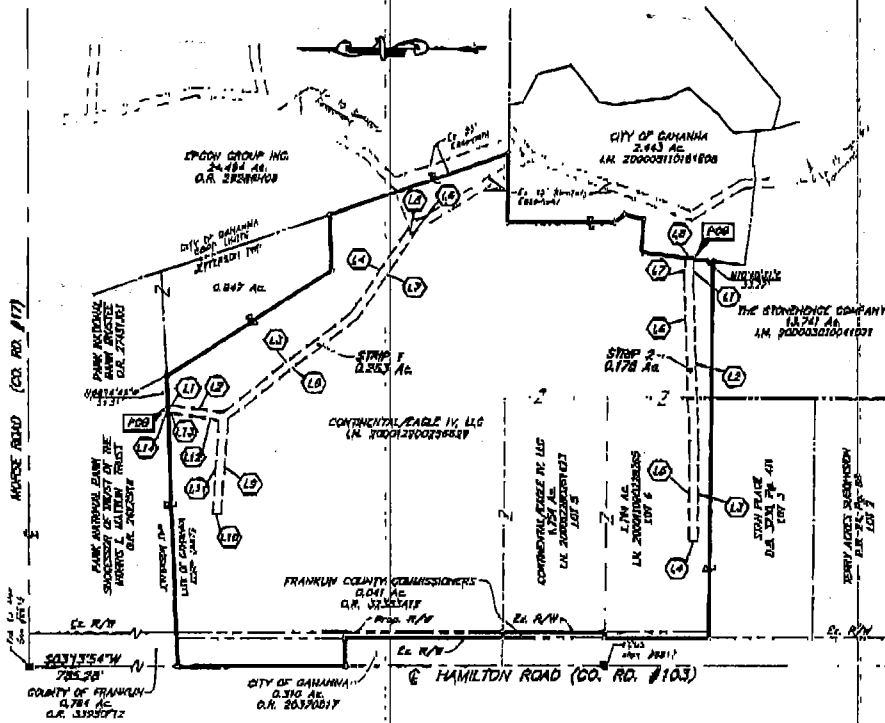




**SANITARY SEWER EASEMENT EXHIBIT**  
 QUARTER TOWNSHIP 2, TOWNSHIP 1, RANGE 16  
 UNITED STATES MILITARY LANDS  
 CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

Scale: 1" = 200'

July 2001

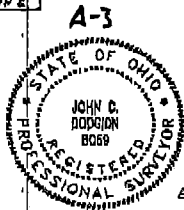
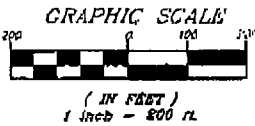


**STRIP 1 LINE TABLE**

LINE	LENGTH	BEARING
L1	10.74'	S07°45'11" W
L2	80.74'	S13°00'03" W
L3	285.32'	S38°58'03" E
L4	183.93'	S54°34'13" E
L5	12.84'	S71°43'10" W
L6	10.73'	S28°31'36" E
L7	190.33'	N57°36'43" W
L8	288.01'	N38°58'03" W
L9	171.97'	N88°32'55" W
L10	13.00'	N07°27'03" E
L11	188.31'	S88°32'53" E
L12	75.38'	N13°00'03" E
L13	9.26'	N01°45'17" E
L14	78.00'	S68°74'48" E

**STRIP 2 LINE TABLE**

LINE	LENGTH	BEARING
L1	44.43'	N84°22'31" W
L2	288.92'	N88°08'54" W
L3	171.16'	N85°39'42" W
L4	13.00'	N04°20'18" E
L5	170.84'	S88°39'48" E
L6	300.08'	S88°08'53" E
L7	48.27'	S84°22'31" E
L8	18.05'	S10°40'31" W



E.M.H.&T. INC.

By *John C. Dodgins*  
 Professional Surveyor No. 8050

CONNOR LAND TITLE BOX 61071

Instr: 20011221000432 12/21/2001  
Pages: 6 LF: 626.00 10:48AM  
Robert O. Montgomery T20010171265  
Franklin County Recorder BKCONNOR L

**SANITARY SEWER EASEMENT**

THAT, CITY OF GAHANNA, OHIO ("Grantor"), whose address is 200 South Hamilton, Gahanna, Ohio 43230, for and in consideration of the sum of Ten Dollars (\$10.00) to Grantor in hand paid by CONTINENTAL/EAGLE IV, LLC, an Ohio limited liability company, having an address at 150 E. Broad Street, Suite 800, Columbus, Ohio 43215 ("Grantee"), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey unto Grantee a perpetual, non-exclusive easement for the purpose of constructing a sanitary sewer line located in the area described on Exhibit A attached hereto and made a part hereof for all purposes (the "Easement Strip") for the purpose of tying into the existing sanitary sewer lines. Such easement is for the benefit of and is an appurtenant easement to that certain parcel of land owned by Grantee adjacent to the Easement Strip and more particularly described on Exhibit B.

TO HAVE AND TO HOLD the above described easement, unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said easement unto Grantee and its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

This agreement and all of the terms, provisions and obligations hereof shall be covenants running with the land affected thereby and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this easement to be executed as of the date set forth below in the acknowledgment.

**GRANTOR:**

CITY OF GAHANNA, OHIO

Signed and Acknowledged  
In the Presence of:

*Patricia S. Roman*

By: *Rebecca W. Stinchcomb*

Name: Rebecca W. Stinchcomb  
Title: Mayor

*Joseph A. Damante*

STATE OF OHIO  
COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of December 2001 by Rebecca Stinchcomb Mayor of City of Gahanna, Ohio, a municipal corporation, on behalf of the corporation.

*Joseph A. Damante*  
Notary Public in A. D. AM. ST. OHIO  
My Comm. Exp. 12/31/02

This instrument prepared by:

Mark A. Damante, Esq.  
Continental Real Estate Company  
150 East Broad Street, Suite 800  
Columbus, Ohio 43215

**CONVEYANCE TAX  
EXEMPT**  
*Jo*  
**JOSEPH W. TESTA  
FRANKLIN COUNTY AUDITOR**

**TRANSFERRED  
NOT NECESSARY**  
**DEC 21 2001**  
JOSEPH W. TESTA  
AUDITOR  
FRANKLIN COUNTY, OHIO

**EXHIBIT B**

Exhibit A

**SANITARY SEWER EASEMENT  
0.024 ACRE**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Quarter Township 2, Township 1, Range 16, United States Military Lands and being a 15 foot strip of land across that 2.443 acre tract conveyed to the City of Gahanna by deed of record in Instrument Number 200008110161608 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly bounded and described as follows:

Beginning, for reference, at the northeasterly corner of that tract conveyed to the Stonehenge Company by deed of record in Instrument Number 200003010041021, the southeasterly corner of that tract conveyed to Continental/Eagle IV, LLC by deed of record in Instrument Number 200012200256629, in the Grantor's westerly line;

thence North 10° 40' 31" East, with Grantor's westerly line, a distance of 39.22 feet to the True Point of Beginning;

thence North 10° 40' 31" East, continuing with said westerly line, a distance of 15.06 feet to a point;

thence across Grantor's tract, the following courses and distances:

South 84° 22' 31" East, a distance of 71.19 feet to a point;

South 24° 16' 20" West, a distance of 8.90 feet to a point;

South 29° 37' 59" East, a distance of 8.04 feet to a point; and

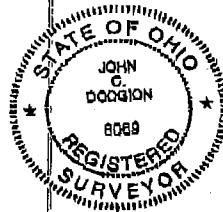
North 84° 22' 31" West, a distance of 74.31 feet to the True Point of Beginning, containing 0.024 acre of land, more or less.

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

John C. Dodgion  
Registered Surveyor No. 8069

JCO:am/jul01



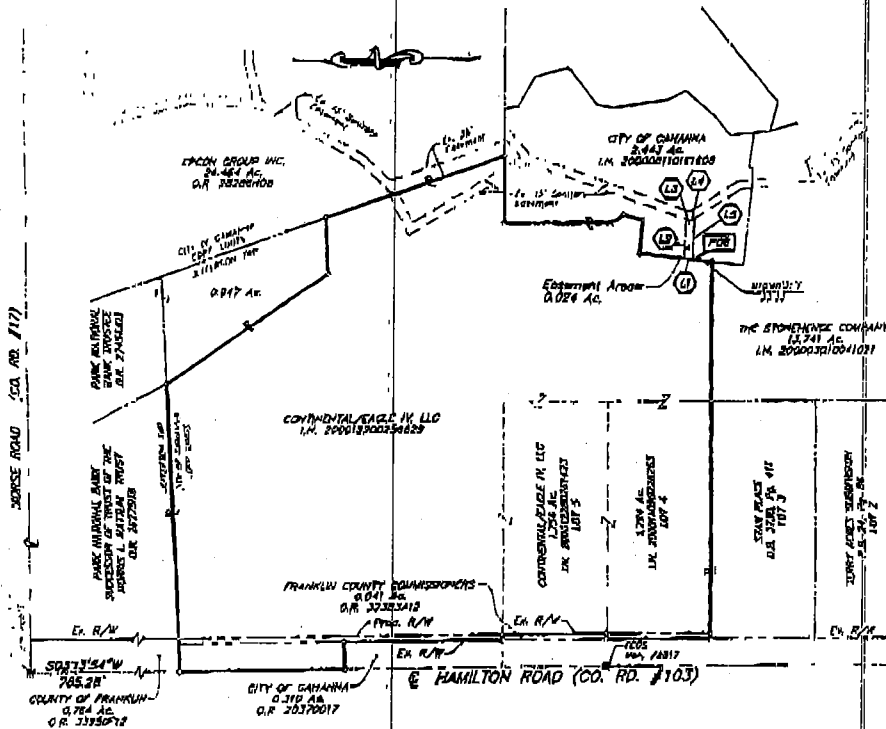
A-1



**SANITARY SEWER EASEMENT EXHIBIT**  
 QUARTER TOWNSHIP 2, TOWNSHIP 1, RANGE 16  
 UNITED STATES MILITARY LANDS  
 CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

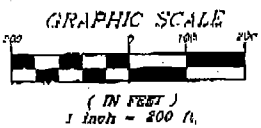
Scale: 1" = 200'

JULY, 2001



LINE TABLE		
LINE	LENGTH	BEARING
L1	18.08	N79°40'31" E
L2	71.79	S84°28'31" E
L3	2.90	S23°18'20" W
L4	2.04	S29°18'58" E
L5	78.31	N83°22'31" W

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E. M. H. & T. INC.

by *John C. Dodgson*  
 Professional Surveyor No. 8069

Exhibit B - Grantee's Parcel

15.550 ACRES

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 2, Township 1, Range 16, United States Military Lands and being all of those tracts of land as conveyed to \_\_\_\_\_ by deeds of record in Instrument Numbers \_\_\_\_\_, all references refer to the records of the Recorder's Office, Franklin County, Ohio, and described as follows:

Beginning for reference at Franklin County Geodetic Survey Monument Number 6616 at the centerline intersection of Hamilton Road with Morse Road, said Monument being North 03° 13' 54" East, a distance of 1514.74 feet from Franklin County Geodetic Survey Monument Number 8817 in the centerline of said Hamilton Road;

thence South 03° 13' 54" West, with the centerline of said Hamilton Road, a distance of 785.28 feet to a Mag Nail set at the southwesterly corner of that 0.764 acre tract of land as conveyed to the County of Franklin by deed of record in Official Record 33950F12, being the True Point of Beginning for the tract herein intended to be described;

thence South 88° 14' 49" East, with the southerly line of said 0.764 acre tract, and the southerly line of that tract of land as conveyed to Park National Bank Successor of Trust of the Morris L. Martin Trust by deed of record in Official Record 26275118, a distance of 525.79 feet to an iron pin set at a southeasterly corner thereof, in the westerly line of that tract of land as conveyed to Park National Bank Trustee of record in Official Record 27451103;

thence with the perimeter of said Park National Bank Trustee tract the following courses:

South 31° 51' 02" East, a distance of 338.22 feet to an iron pin set at a southwesterly corner thereof; and

South 88° 12' 26" East, a distance of 100.65 feet to an iron pin set at a southeasterly corner thereof, in the westerly line of that tract of land as conveyed to EPCON Group Inc. of record in Official Record 282861708;

thence South 16° 26' 24" East with said westerly line, a distance of 326.13 feet to an iron pin set at a southwesterly corner thereof, in the northerly line of that tract of land as conveyed to The Stonehenge Co. by deed of record in Instrument Number 200003010041021;

thence North 85° 39' 42" West, with the northerly line of said Stonehenge Co. tract, a distance of 122.78 feet to an iron pin set at the northwesterly corner of said Stonehenge Co. tract;

thence along the westerly perimeter of said Stonehenge tract, the following courses:

South 03° 33' 14" West, a distance of 188.54 feet to an iron pin set;

South 36° 28' 11" East, a distance of 22.27 feet to an iron pin set;

South 18° 23' 22" West, a distance of 34.35 feet to an iron pin set;

North 82° 19' 32" West, a distance of 60.39 feet to an iron pin set; and

South 10° 40' 31" West, a distance of 125.59 feet to an iron pin set;

thence North 85° 39' 42" West, along a northerly line of said Stonehenge tract, and the northerly line of Lot 3 of that subdivision entitled "Terry Acres Subdivision" of record in Plat Book 24, Page 86, as conveyed to Stan Place by deed of record in Deed Book 3730, Page 411 (passing an iron pin set at 252.26 feet) a distance of 686.38 feet to an iron pin set at the northwesterly corner of said Lot 3, being the easterly right-of-way line of said Hamilton Road;

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15.550 ACRES

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thence North 03° 34' 35" East, along said right-of-way line, a distance of 180.01 feet to an iron pin set at the southwesterly corner of that 0.041 acre tract as conveyed to The Franklin County Commissioners by deed of record in Official Record 3238JA12;

thence South 85° 39' 42" East, along said right-of-way line, being the southerly line of said 0.041 acre tract, a distance of 10.00 feet to an iron pin set at the southeasterly corner of said 0.041 acre tract;

thence North 03° 34' 35" East, along the easterly line of said 0.041 acre tract, being said easterly right-of-way line, a distance of 1.36 feet to an iron pin set;

thence North 03° 13' 54" East, continuing along said right-of-way line, being the easterly line of said 0.041 acre tract, a distance of 178.68 feet to an iron pin set at the northeasterly corner of said 0.041 acre tract;

thence North 85° 39' 42" West, continuing along said right-of-way line, being the northerly line of said 0.041 acre tract, a distance of 10.00 feet to an iron pin set at the southeasterly corner of that 0.310 acre tract as conveyed to the City of Gahanna by deed of record in Official Record 20370D17;

thence North 03° 13' 54" East, continuing along said right-of-way line, being the easterly line of said 0.310 acre tract, a distance of 270.73 feet to an iron pin set at the northeasterly corner of said 0.310 acre tract;

thence North 88° 12' 26" West, along the northerly line of said 0.310 acre tract, a distance of 50.02 feet to a Mag Nail set at the northwesterly corner of said 0.310 acre tract, being in the centerline of said Hamilton Road;

thence North 03° 13' 54" East, along said centerline, a distance of 281.29 feet to the True Point of Beginning, and containing 15.550 acres of land, more or less, of which 0.162 acres lies within the right-of-way of Hamilton Road, leaving a net acreage of 15.388 acres of land.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Bearings are based on the Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates of monuments 6616 and 8817, having a bearing of South 03° 13' 54" West, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Clark E. White  
Registered Surveyor No. 7868

CEW km/dec00

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