

Project Name: Price Road Sanitary Sewer

ORD-0058-2017
EXHIBIT E

CITY OF GAHANNA

CONTRACT OF SALE AND PURCHASE

This Agreement is entered into on the below date by and between **Scott A. Materni**, 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 (0.154 acre)

Parcel T-1 (0.035 acre)

Parcel T-2 (0.020 acre)

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

\$12,250.00
AM City agrees to purchase said real estate and agrees to pay the full sum of ~~\$10,250.00~~ *\$12,250.00* 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 ~~\$10,250.00~~ *\$12,250.00* *AM*

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.

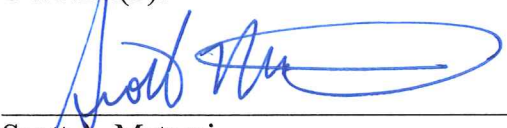
Owner shall be liable for all taxes on the property up to and including the date of closing.

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.

DATE 7/24/17

OWNER(S):


Scott A. Materni

DATE _____

CITY OF GAHANNA:

City Engineer

By: 

Negotiator

**SANITARY SEWER EASEMENT
0.154 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 Lot 7 of a survey by G.E. Evans, P.S. 483, dated August, 1947, on file with the Franklin County Engineer's Office, as conveyed to Scott A. Materni by deed of record in Instrument Number 200008280172019, (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 northeasterly corner of said Lot 7;

thence South 04° 15' 40" West, with the easterly line of said Lot 7, a distance of 14.29 feet to a point;

thence North 85° 03' 42" West, crossing said Lot 7, a distance of 106.82 feet to a point;

thence South 03° 54' 11" West, crossing said Lot 7, a distance of 75.71 feet to a point in the southerly line of said Lot 7;

thence North 85° 03' 20" West, with said southerly line, a distance of 20.00 feet to a point;

thence North 03° 54' 11" East, crossing said Lot 7, a distance of 75.71 feet to a point;

thence North 85° 03' 42" West, crossing said Lot 7, a distance of 236.69 feet to a point in the easterly right-of-way line of James Road;

thence North 04° 15' 40" East, with said easterly right-of-way line, a distance of 14.32 feet to the northerly line of said Lot 7;

thence South 85° 03' 20" East, with said northerly line, a distance of 363.52 feet to the *POINT OF BEGINNING*, containing 0.154 acre of land, more or less.

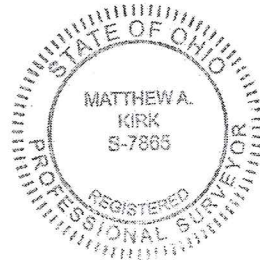
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

Matthew A. Kirk
Professional Surveyor No. 7865

23 MARCH 16

Date



**TEMPORARY 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 5 foot wide strip of land on, over, and across Lot 7 of a survey by G.E. Evans, P.S. 483, dated August, 1947, on file with the Franklin County Engineer's Office, as conveyed to Scott A. Materni by deed of record in Instrument Number 200008280172019, (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 northeasterly corner of said Lot 7;

thence South 04° 15' 40" West, with the easterly line of said Lot 7, a distance of 14.29 feet, to the *TRUE POINT OF BEGINNING*;

thence South 04° 15' 40" West, with said easterly line, a distance of 5.00 feet to a point;

thence North 85° 03' 42" West, crossing said Lot 7, a distance of 101.79 feet to a point;

thence South 03° 54' 11" West, crossing said Lot 7, a distance of 70.71 feet to a point in the southerly line of said Lot 7;

thence North 85° 03' 20" West, with said southerly line, a distance of 5.00 feet to a point;

thence North 03° 54' 11" East, crossing said Lot 7, a distance of 75.71 feet to a point;

thence South 85° 03' 42" East, crossing said Lot 7, a distance of 106.82 feet to the *TRUE POINT OF BEGINNING*, containing 0.020 acre of land, more or less.

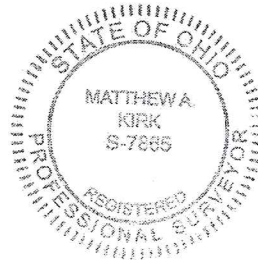
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

Matthew A. Kirk
Professional Surveyor No. 7865

23 MARCH 16

Date



**TEMPORARY EASEMENT
0.035 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 5 foot wide strip of land on, over, and across Lot 7 of a survey by G.E. Evans, P.S. 483, dated August, 1947, on file with the Franklin County Engineer's Office, as conveyed to Scott A. Materni by deed of record in Instrument Number 200008280172019, (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 northeasterly corner of said Lot 7;

thence North 85° 03' 42" West, with the northerly line of said Lot 7, a distance of 363.52 feet to a point in the easterly right-of-way line of James Road;

thence South 04° 15' 40" West, with said easterly right-of-way line, a distance of 14.32 feet to the *TRUE POINT OF BEGINNING*;

thence South 85° 03' 42" East, crossing said Lot 7, a distance of 236.69 feet to a point;

thence South 03° 54' 11" West, crossing said Lot 7, a distance of 75.71 feet to a point in the southerly line of said Lot 7;

thence North 85° 03' 20" West, with said southerly line, a distance of 5.00 feet to a point;

thence North 03° 54' 11" East, crossing said Lot 7, a distance of 70.71 feet to a point;

thence North 85° 03' 42" West, crossing said Lot 7, a distance of 231.72 feet to a point in said easterly right-of-way line;

thence North 04° 15' 40" East, with said easterly right-of-way line, a distance of 5.00 feet to the *TRUE POINT OF BEGINNING*, containing 0.035 acre of land, more or less.

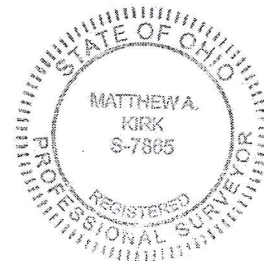
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

23 March 16

Matthew A. Kirk
Professional Surveyor No. 7865

Date



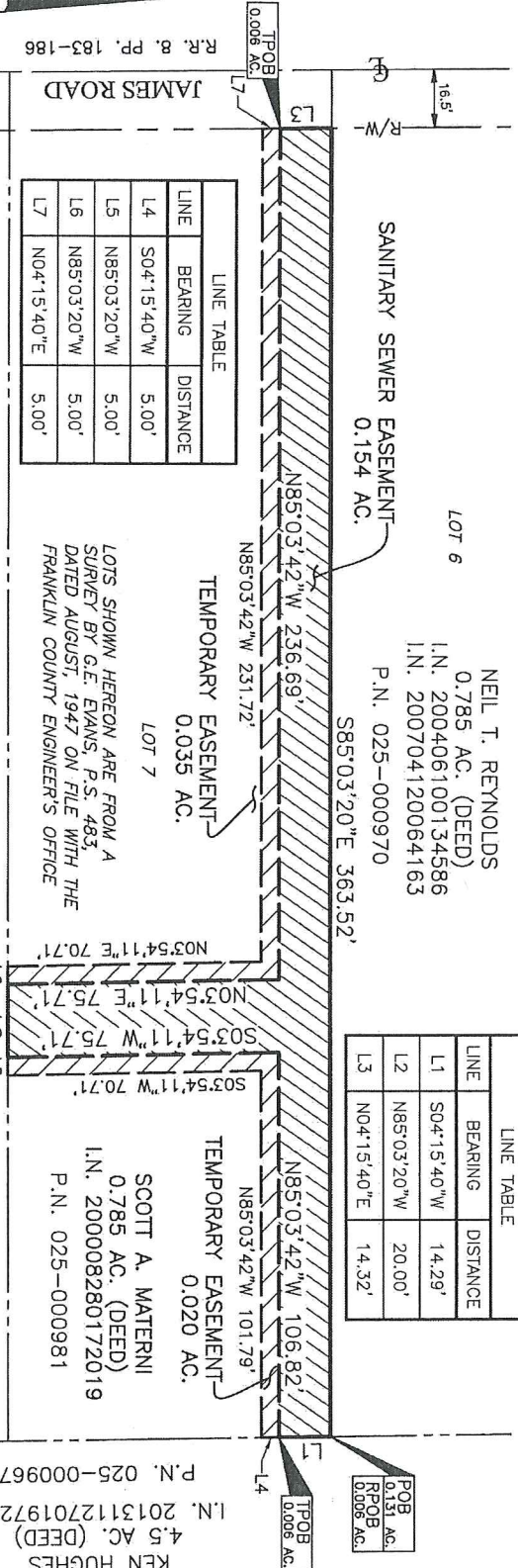


Evans Meacham, Hombler & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43254
 Phone: 614.775.4500 Toll Free: 888.775.3448
 emht.com

SANITARY SEWER EASEMENT

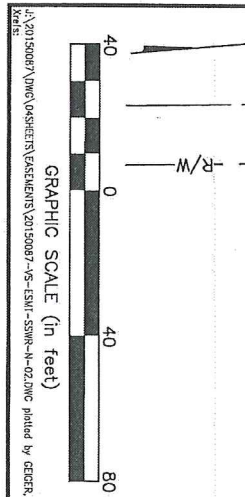
QUARTER TOWNSHIP 4, TOWNSHIP 1, RANGE 17
 UNITED STATES MILITARY LANDS
 CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO

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



LINE	BEARING	DISTANCE
L4	S04°15'40"W	5.00'
L5	N85°03'20"W	5.00'
L6	N85°03'20"W	5.00'
L7	N04°15'40"E	5.00'

LINE	BEARING	DISTANCE
L1	S04°15'40"W	14.29'
L2	N85°03'20"W	20.00'
L3	N04°15'40"E	14.32'



LOT 6
 NEIL T. REYNOLDS
 0.785 AC. (DEED)
 I.N. 200406100134586
 I.N. 200704120064163
 P.N. 025-000970

LOT 7
 E. KEVIN SWINNEY
 LUCINDA SWINNEY
 0.785 AC. (DEED)
 I.N. 201101140007874
 I.N. 201101140007875
 P.N. 025-000980

LOT 8
 SCOTT A. MATERINI
 0.785 AC. (DEED)
 I.N. 200008280172019
 P.N. 025-000981

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

Date: 23 MARCH 2016

LOT 10
 KEN HUGHES
 4.5 AC. (DEED)
 I.N. 201311270197269
 P.N. 025-000967

REGISTERED SURVEYOR
 MATTHEW A. KIRK
 S-7865

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