

TRANSFER
NOT NECESSARY

OCT 14 2010

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

201010140136761
Pgs: 4 \$44.00 T20100061446
10/14/2010 4:26PM BXGAHANNA BOX
Robert G. Montgomery
Franklin County Recorder

CONVEYANCE TAX EXEMPT	
P	BD
CLARENCE E. MINGO II FRANKLIN COUNTY AUDITOR	

SIDEWALK EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: 825 Techcenter Drive LLC, a Delaware limited liability company, the Grantor(s) herein, for valuable consideration, to be paid by the City of Gahanna, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a non exclusive sidewalk easement for the purpose of constructing, operating and maintaining a sidewalk for public access on and across the following described real estate ("Easement Area"):

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Prior Instrument Reference 200810170153909 Franklin County Recorder's Office

To have and to hold said sidewalk easement, for the aforesaid purposes, unto the Grantee, its successors and assigns.

Grantee shall indemnify and hold Grantor harmless from any and all damage or injury in any way relating to or arising out of the use and / or existence of the easement granted herein, including the construction, repair and/or maintenance of any sidewalks or other permanent pedestrian improvements to be located within the Easement Area. The indemnification obligations contained herein, shall include, without limitation, any damage, injury, penalty, fine, cost and/or expense (including reasonable legal fees) incurred by Grantor resulting from any failure or non-compliance of the sidewalks or other improvements located in the Easement Area to conform with the requirements of the Americans with Disabilities Act of 1990, as amended, and any regulations provided thereunder.

The rights granted herein shall not be construed to interfere with or restrict the use of the Easement Area or the real property owned by the Grantor adjacent to the Easement Area. It is not the

EXHIBIT A

intent of this Sidewalk Easement and the easement granted herein to limit the use of any overlapped existing easements which now exist or may exist in the future. This deed of Easement shall not be construed as giving to Grantee any ingress and egress to or over any other property owned by the Grantor not included in the Sidewalk Easement.

Grantee, as soon as practical after construction, repair or maintenance of any sidewalks or other permanent pedestrian improvements to be located in the Easement Area shall cause all the affected property of the Grantor to be restored as near as possible to its previous condition, grade, and level, including the replacement of all landscaping, grass and trees. To the extent that any trees or other landscaping are removed from the Easement Area to construct any sidewalks or other improvements, Grantee agrees, at its sole cost and expense, to relocate and or replace the same to the locations on Grantor's property reasonable identified by the Grantor.

IN WITNESS WHEREOF 825 Techcenter Drive LLC, a Delaware limited liability company has caused its name to be subscribed by, Robert M. Shaevitz its duly authorized agent on the 24th day of August, 2010.

825 Techcenter Drive LLC, a Delaware limited liability company

By: 

STATE OF OHIO, COUNTY OF

SS:

BE IT REMEMBERED, that on the 24th day of August, 2010, before me the subscriber, a Notary Public in and for said state and county, personally came the above named, who acknowledged being the President and duly authorized agent of 825 Techcenter Drive LLC, a Delaware limited liability company, and who signed or acknowledged the signing of the foregoing instrument to be the voluntary act and deed of said entity.

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

GRANADA TITLE BOX


NOTARY PUBLIC

My Commission expires:

W. R. SHIREY, Attorney-at-Law
Notary Public - State of Ohio
My commission has no expiration
date. Sec. 147.03 R.C.

**Sidewalk Easement Description ~ 0.011 Acre
South Side of Techcenter Drive
East of Morrison Road**

Situated in the State of Ohio, County of Franklin, City of Gahanna, Quarter Township 3, Township 1, Range 16, United States Military District and being part of that 0.096 acre tract conveyed to 825 Techcenter Drive, LLC of record in Instrument Number 200806200094924 and Instrument Number 200810170153909 and described as follows:

Beginning at a 3/4" iron pipe found marking the northwest corner of said 0.096 acre tract, the same being the northeast corner of that 8.643 acre tract conveyed to Columbus Southern Power Company of record in Instrument Number 199806120145921, in the current south right-of-way line for Techcenter Drive (see Plat Book 87, Page 58, Instrument Number 200806200094924 and Instrument Number 200810170153909);

Thence **S 80° 21' 49" E**, with the north line of said 0.096 acre tract, **43.57 feet**;

Thence across said 0.096 acre tract, the following courses;

S 06° 23' 34" W, 9.75 feet;

N 83° 36' 26" W, 43.50 feet to the west line of said 0.096 acre tract;

Thence **N 06° 23' 34" E**, with said west line, **12.22 feet** to the **Point of Beginning**.

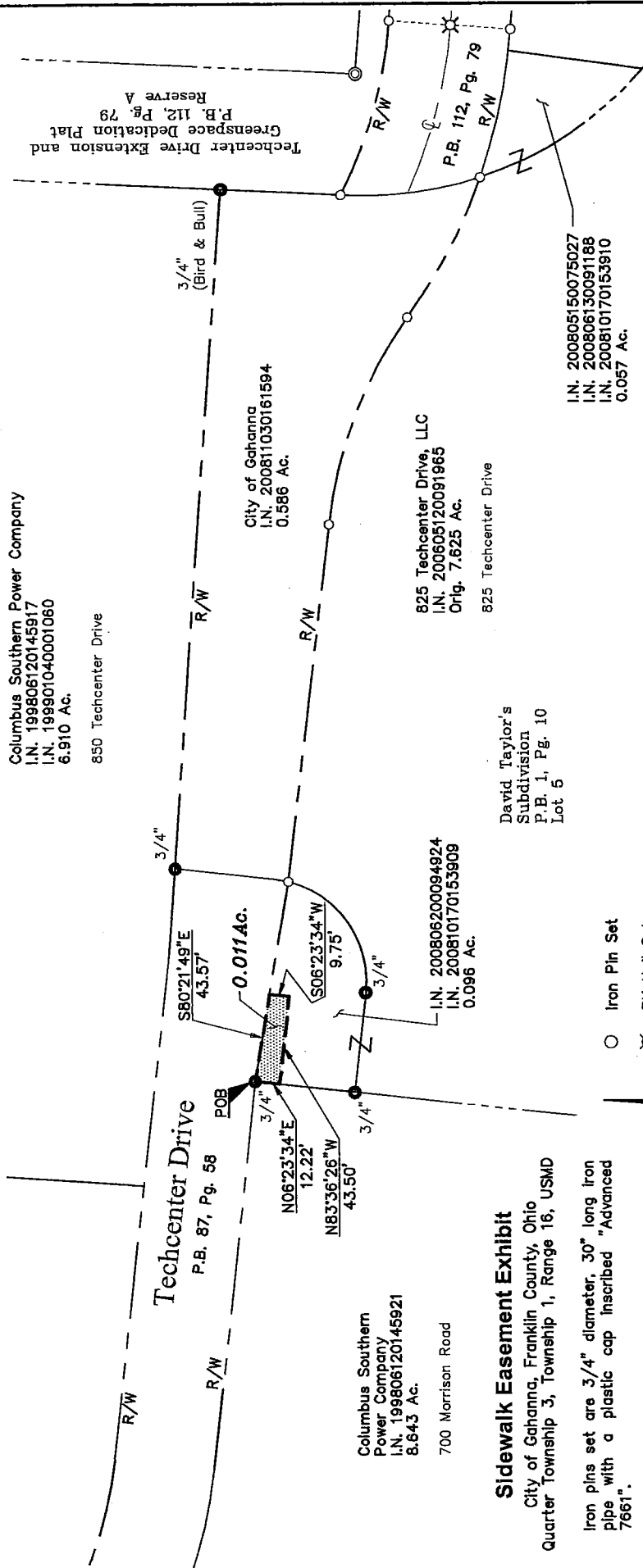
Containing **0.011 acre** of land, more or less, as calculated by the above courses. The above description was prepared by John C. Dodgion, P.S. 8069 on August 03, 2010 and is based on existing records and an original survey made by Advanced Civil Design, Inc. in May 2008. A drawing of the above description is attached hereto and made a part thereof.

Bearings are based on the same as shown in the deed for 0.586 acre tract to City of Gahanna of record in Instrument Number 2008110301616594.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.

John C. Dodgion, P.S. 8069



City of Gahanna, Franklin County, Ohio
 Quarter Township 3, Township 1, Range 16, USMD

Sidewalk Easement Exhibit

Iron pins set are 3/4" diameter, 30" long iron pipe with a plastic cap inscribed "Advanced 7661".

Bearings are based on the same as shown in the deed for 0.586 acre tract to City of Gahanna of record in I.N. 2008110301616594.

This exhibit is based existing records and an original survey made by Advanced Civil Design, Inc. in May 2008.

Legend

- Iron Pin Set
- ⊗ PK Nail Set
- Iron Pipe Found
- Iron Rod Found
- ⊗ PK Nail Found
- ▲ RR Spike Found

Scale

1" = 60'

0 30' 60' 120'

City of Gahanna
 I.N. 200811030161594
 0.586 Ac.

825 Techcenter Drive, LLC
 I.N. 200605120091965
 Orig. 7.625 Ac.

825 Techcenter Drive
 I.N. 200805150075027
 I.N. 200806130091186
 I.N. 200810170153910
 0.057 Ac.

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 I.N. 200811030161594
 0.586 Ac.

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ADVANCED
 CIVIL DESIGN

ENGINEERS & SURVEYORS

422 Beecher Road
 Gahanna, Ohio 43230
 ph 614.428.7760
 fax 614.428.7755

DRAWN BY: JCD
 DATE: 08/03/2010
 JOB NO.: 10-0029-199
 CHECKED BY: DRH