

## EASEMENT

Daniel A. Stucky, married, the Grantor(s), in consideration of the sum of \$762.00, to be paid by the City of Gahanna, the Grantee, does convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

PARCEL(S): 4-U

FRA-HEIL-0.07

SEE EXHIBIT A ATTACHED

Franklin County Current Tax Parcel No. 025-003206-00

Prior Instrument Reference: #201108010094963, Franklin County Recorder's Office.

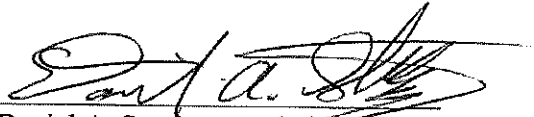
Grantor(s), for himself and his successors and assigns, covenant(s) with the Grantee, its successors and assigns, that he is the true and lawful owner(s) in fee simple, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed for the above-stated purpose, the Grantor(s) has a right under Section 163.211 of the Revised Code to

repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) decline to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated.

IN WITNESS WHEREOF Daniel A. Stucky, married, have hereunto set his hand on the  
2nd day of February, 2019.

  
Daniel A. Stucky, married

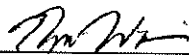
STATE OF OHIO, COUNTY OF FRANKLIN ss:

BE IT REMEMBERED, that on the 2<sup>nd</sup> day of FEBRUARY, 2019,  
before me the subscriber, a Notary Public in and for said state and county, personally came the  
above named Daniel A. Stucky, married, who acknowledged the foregoing instrument to be his  
voluntary acts and deeds.

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



RYAN WISEMAN  
Notary Public, State of Ohio  
My Comm. Expires July 8, 2020  
Recorded in Franklin County

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: 7/8/2020

This document was prepared by: or for the City of Gahanna, Franklin County, Ohio

**EXHIBIT A**

LPA RX 883 U

Page 1 of 2

Rev. 09/12

Ver. Date 12/19/18

PID 106415

**PARCEL 4-U  
FRA-HEIL-0.07  
PERPETUAL EASEMENT FOR UTILITY PURPOSES  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF GAHANNA"**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, Franklin County, City of Gahanna, Mifflin Township, Quarter Township 3, Township 1 North, Range 17 West United States Military District Land and being a 0.008 acre parcel out of a 0.420 acre tract known as Franklin County Auditor's Parcel number 025-003206-00 conveyed to Daniel A. Stucky (hereafter referred to as "Grantor") by the instrument filed as Instrument Number 201108010094963 (all documents referenced are to the records of Franklin County unless otherwise stated), the said 0.008 acre parcel also being part of Lot 104 of Gahanna Heights No. 4 filed as Plat Book 37, page 41.

Being a parcel of land lying on the right side of the existing centerline of right-of-way of Heil Drive and more particularly described as follows:

BEGINNING at a point on the southerly right-of-way line of Heil Drive and on the Grantor's northwesterly corner, the said point being 30.00 feet right of station 19+88.86 of the centerline of right-of-way of Heil Drive. Thence along the said southerly right-of-way line and along the Grantor's northerly line and with a curve to the left, said curve having a central angle of 00 degrees 43 minutes 24 seconds, a radius of 2721.24 feet, an arc length of 34.35 feet, and a long chord which bears South 87 degrees 06 minutes 25 seconds East for a distance of 34.35 feet to a point being 30.00 feet right of station 20+22.83, and being the TRUE POINT OF BEGINNING of the parcel herein described.

Thence crossing through the lands of the Grantor, South 72 degrees 04 minutes 25 seconds East for a distance of 40.93 feet to a point being 38.36 feet right of station 20+67.27 and being on the easterly property line of the Grantor;

Thence along said easterly property line of the Grantor, South 05 degrees 01 minutes 14 seconds West for a distance of 7.44 feet to a point being 45.77 feet right of station 20+67.99;

**EXHIBIT A**

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Thence crossing through the lands of the Grantor, North 73 degrees 24 minutes 18 seconds West for a distance of 45.76 feet to a point being 37.19 feet right of station 20+17.66;

Thence continuing through the lands of the Grantor, North 24 degrees 17 minutes 37 seconds East for a distance of 7.73 feet to a point being 30.00 feet right of station 20+20.48 and being on the southerly right of way line of Heil Drive;


Thence along the said southerly right-of-way line and along the Grantor's northerly line and with a curve to the left, said curve having a central angle of 00 degrees 03 minutes 00 seconds, a radius of 2721.24 feet, an arc length of 2.38 feet, and a long chord which bears South 87 degrees 26 minutes 37 seconds East for a distance of 2.38 feet to the TRUE POINT OF BEGINNING, containing 0.008 acres, more or less, of which 0.000 acres are contained within the present road occupied, resulting in a net take of 0.008 acres out of Franklin County Auditor's Parcel number 025-003206-00.

Prior instrument of record as of this writing recorded as Instrument Number 201108010094963 in the records of Franklin County.

This description was prepared by Charles H. Murphy, Ohio Registered Professional Surveyor number 6950, and is based on an actual field survey conducted by DLZ Ohio, Inc. in 2017 through 2018 under his direct supervision.

The bearing for this description are based on Ohio State Plane Coordinated system, South Zone and the North American Datum of 1983 with the 2011 adjustment (NAD83(2011)).

The station referenced herein are from the plans known as "FRA-HEIL-0.07" on file with the City of Gahanna.

  
Charles H. Murphy, S-6950

12-19-18  
Date



### **TEMPORARY EASEMENT**

Daniel A. Stucky, married, the Grantor(s), in consideration of the sum of \$9,062.00, to be paid by the City of Gahanna, Franklin County, Ohio, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 4-T

FRA-HEIL-0.07

SEE EXHIBIT A ATTACHED

Franklin County Current Tax Parcel No. 025-003206-00

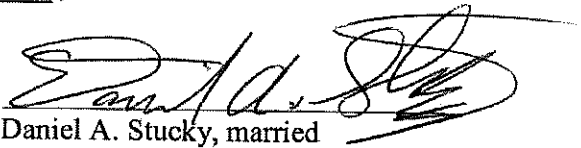
Prior Instrument Reference: #201108010094963, Franklin County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is six (6) months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Daniel A. Stucky, married, have hereunto set his hand on the 2nd day of February, 2019.

  
Daniel A. Stucky, married

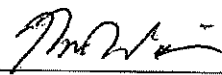
STATE OF OHIO, COUNTY OF FRANKLIN ss:

BE IT REMEMBERED, that on the 2nd day of FEBRUARY, 2019, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Daniel A. Stucky, married, who acknowledged the foregoing instrument to be his voluntary acts and deeds.

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



RYAN WISEMAN  
Notary Public, State of Ohio  
My Comm. Expires July 8, 2020  
Recorded in Franklin County

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: 7/8/2020

This document was prepared by: or for the City of Gahanna, Franklin County, Ohio

**EXHIBIT A**

LPA RX 887 T

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Rev. 07/09

Ver. Date 02/09/2018

PID 106415

**PARCEL 4-T  
FRA-HEIL-0.07  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT A BRIDGE  
FOR 6 MONTHS FROM DATE OF ENTRY BY THE  
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, Franklin County, City of Gahanna, Mifflin Township, Quarter Township 3, Township 1 North, Range 17 West United States Military District Land and being a 0.023 acre parcel out of a 0.420 acre tract of known as Franklin County Auditor's Parcel number 025-003206-00 conveyed to Daniel A. Stucky (hereafter referred to as "Grantor") by the instrument filed as Instrument Number 201108010094963 (all documents referenced are to the records of Franklin County unless otherwise stated), the said 0.023 acre parcel also being part of Lot 104 of Gahanna Heights No. 4 filed as Plat Book 37, page 41.

Being a parcel of land lying on the right side of the existing centerline of right-of-way of Heil Drive and more particularly described as follows:

**BEGINNING** at a point on the southerly right-of-way line of Heil Drive and on the Grantor's northwesterly corner being, the said point being 30.00 feet right of station 19+88.86 of the centerline of right-of-way of Heil Drive and being the **TRUE POINT OF BEGINNING** of the parcel herein described.

Thence along the said southerly right-of-way line and along the Grantor's northerly line and with a curve to the left, said curve having a central angle of 00 degrees 43 minutes 24 seconds, a radius of 2721.24 feet, an arc length of 34.35 feet, and a long chord which bears South 87 degrees 06 minutes 25 seconds East for a distance of 34.35 feet to a point being 30.00 feet right of station 20+22.83;

Thence continuing along the said southerly right-of-way line and along the Grantor's northerly line and with a curve to the right, said curve having a central angle of 01 degrees 20 minutes 13 seconds, a radius of 320.00 feet, an arc length of 7.47 feet, and a long chord which bears South 86 degrees 48 minutes 00 seconds East for a distance of 7.47 feet to a point being 30.00 feet right of station 20+31.00;



**EXHIBIT A**

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Thence crossing through the lands of the Grantor, South 52 degrees 39 minutes 53 seconds West for a distance of 60.28 feet to a point being 69.00 feet right of station 19+85.00;

Thence continuing through the lands of the Grantor, North 64 degrees 15 minutes 44 seconds West for a distance of 9.56 feet to a point on the Grantor's westerly line being 65.37 feet right of station 19+76.37;

Thence along the Grantor's westerly line, North 23 degrees 09 minutes 19 seconds East for a distance of 37.58 feet to the TRUE POINT OF BEGINNING, containing 0.023 acres, more or less, of which 0.000 acres are contained within the present road occupied, resulting in a net take of 0.023 acres out of Franklin County Auditor's Parcel number 025-003206-00.

Prior instrument of record as of this writing recorded as Instrument Number 201108010094963 in the records of Franklin County.

This description was prepared by Russell Koenig, Ohio Registered Professional Surveyor number 8358, and is based on an actual field survey conducted by DLZ Ohio, Inc. in 2017 through 2018 under his direct supervision.

The bearing for this description are based on Ohio State Plane Coordinated system, South Zone and the North American Datum of 1983 with the 2011 adjustment (NAD83(2011)).

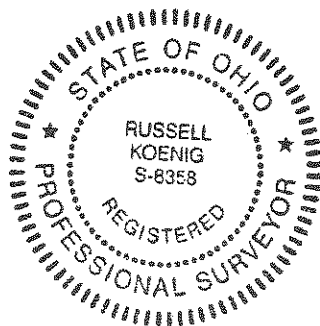
The station referenced herein are from the plans known as "FRA-HEIL-0.07" on file with the City of Gahanna.



Russell Koenig, S-8358

02-09-2018

Date



**VALUE ANALYSIS**

**OWNER'S NAME**  
 Daniel A. Stucky

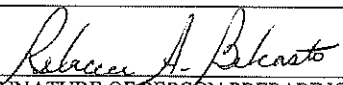
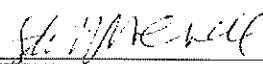

**COUNTY** FRA  
**ROUTE** HEIL  
**SECTION** 0.07  
**PID#** 106415-467994

Based on comparable sales, which are attached, the following compensation has been established.  
 Temporary taking(s) have been based on a 6-Month period.

Parcel #	Net Take Area	Land	Improvements	Remarks	Total
4-T	0.023 acs.	@ \$190,476 /ac. x 10% x 0.5-Years = \$219	2± LF of Decorative Wood Fence @ \$12.50 /LF (depr. 50%) = 13	9± LF of Wood Fence (within P.R.O. – encroaching) = \$0	\$232
4-T			Small Plantings on net site = \$50	Balance of edged planting bed - encroaching	\$50
4-T				Lawn sod will be re-seeded, if disturbed.	\$0
4-T			84± SF of Stone Boulder Wall @ \$45 /SF = \$3,780		\$3,780
4-T			2-Large Specimen Deciduous Trees @ \$2,500 /ea. = \$5,000	Balance of the take area is considered to be natural growth – Merged with Land Value	\$5,000
4-U	0.008 acs.	@ \$190,476 /ac. x 50% = \$762		Asphalt Paving to be replaced in like-kind and Lawn sod to be reseeded, if disturbed	\$762
<b>Total:</b>					<b>\$9,824</b>

**Conflict of Interest Certification** [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

	1/3/2019		1/4/2019
SIGNATURE OF PERSON PREPARING ANALYSIS	DATE	REVIEWER'S CONCURRENCE	DATE
TYPED NAME: Rebecca A. Belcastro		TYPED NAME: Edwin N. Merrell	
NAME OF AGENCY (IF DIFFERENT FROM ODOT)			
City of Gahanna			1/9/18
TITLE: Director of Public Service and Engineering		AGENCY SIGNATURE ESTABLISHING FMVE	DATE
		TYPED NAME: Robert S. Priestas, P.E.	
ADMINISTRATIVE SETTLEMENT:			
		F.M.V.E. AMOUNT	_____
		ADDITIONAL AMOUNT	_____
		TOTAL SETTLEMENT	_____
SIGNATURE	DATE		
TYPED NAME:			

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

## TITLE REPORT

C/R/S	FRA-HEIL- 0.07
PARCEL	4-T
PID	106415
SJN	467994

**INSTRUCTION:**

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." City of Gahanna, Ohio expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) City of Gahanna, Ohio procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (II)(J) of the Ohio Department of Transportations Real Estate Procedures Manual.

**(1) FEE OR OTHER PRIMARY OWNERS**

Name & Address	Marital Status (Spouse's Name)	Interest
Daniel A. Stucky	<del>Single</del> Married (Tracy Smith, wife)	Fee Simple, Full Interest
<b>Parcel &amp; Mailing Address:</b> 259 Heil Drive, Columbus, OH 43230		

**(2) BRIEF DESCRIPTION OF SUBJECT PREMISES**

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: 201108010094963 (Attached)

State of Ohio, County of Franklin, City of Gahanna  
Lot Number 104 in Gahanna Heights No. 4, as recorded in Plat Book 37, Page 41

APN:025-003206-00 (0.42 ac)

**(3-A) MORTGAGES, LIENS AND ENCUMBRANCES**

Name & Address	Date Filed	Amount & Type of Lien
200308120253952 (Attached) James W. King and Ilene J. King, husband and wife To: Fifth Third Bank (Central Ohio) 21 East State, Columbus, OH 43215 *No release found for mortgage from prior fee owner	8/12/2003	\$15,500 open-end mortgage
201208310128605 (Attached) Daniel A. Stucky, unmarried To: The Home Savings and Loan Company of Youngstown, Ohio 275 West Federal Street, Youngstown, OH 44503	8/31/2012	\$166,250 Mortgage

**(3-B) LEASES**

Name & Address	Commercial/Residential	Term
None Found		

**(3-C) EASEMENTS**

Name & Address	Type
None Found	

**(4) DEFECTS IN TITLE-IRREGULARITIES-COMMENTS (Record or Off Record)**

None Found

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Franklin Township: \_\_\_\_\_ Mifflin \_\_\_\_\_ School District: Gahanna Jefferson CSD


AUD. PAR. NO(S)	Land - 100%	Building - 100%	Total - 100%	Taxes - 1/2 year
025-003206-00	<u>\$36,100</u>	<u>\$152,100</u>	<u>\$188,200</u>	<u>\$2,169.87 - all 2017 pd</u>

(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes:  No:   
Comments: \_\_\_\_\_

This Title Report covers the time period from 8/4/1966 to 7/12/2018. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 4-T and presently standing in the name of Daniel A. Stucky as the same are entered upon the several public records of Franklin County, Ohio.

Date & Time 7/12/2018 7:59 am (am/pm)

Signed 

Print Name Iain Crouch

**UPDATE TITLE BLOCK**

This Title Report covers the time period from \_\_\_\_\_ to \_\_\_\_\_. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) \_\_\_\_\_ and presently standing in the name of \_\_\_\_\_ as the same are entered upon the several public records of Franklin County, Ohio.

Date & Time \_\_\_\_\_ (am/pm)

Signed \_\_\_\_\_

Print Name \_\_\_\_\_

Comments from the agent who prepared the Title Update