

CITY OF GAHANNA, OHIO

CONTRACT OF SALE AND PURCHASE

This Agreement, entered into on the below date by and between **Jack A. Williams and Sue Williams**, hereinafter called the **OWNER**, hereby agrees to grant, sell, bargain and convey to the **City of Gahanna, Ohio**, hereinafter called the **CITY**, the following described real estate together with improvements now located thereon:

See Exhibit A

The CITY agrees to purchase said real estate and agrees to pay the full sum of **\$27,000.00**; as full compensation and damages for same and as full consideration for the covenants of Owner herein contained.

The CITY will connect the OWNER's existing aerator discharge line to the new sewer, provided it is in good shape, and there are no roof drains connected to it.

The City will obtain the annexation plat, complete the paperwork and file with the county. OWNER will be required sign the petition.

The CITY will seed and mulch all disturbed areas and follow up with bare areas.

OWNER shall sell and convey the above described real estate by **Deed of Easement** and shall deliver said Instruments to the CITY at the time of closing and which closing shall occur no later than 60 days after the date hereof and at which closing the CITY shall pay the aforesaid consideration of **\$27,000.00**.

OWNER agrees to decommission their existing aerator tank once they are connected to the sewer system.

OWNER warrants that the real estate is free and clear of all liens and encumbrances, except mortgages, taxes, easements, conditions and restrictions of record, if any.

OWNER agrees to execute supplemental instruments necessary for the construction and maintenance of the project, over, across and upon the aforementioned property.

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. CITY shall be responsible for and hold Owner harmless from

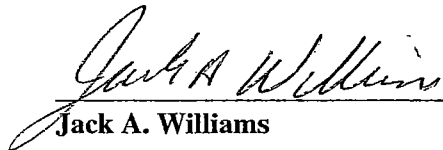
any and all claims, expenses, damages, liability, and costs (including attorney fees) arising out of personal injury or property damage to the extent that such injury of damage is caused by the CITY, its employees, agents, consulting engineers, contractors and other representatives entering upon the aforementioned property prior to its transfer from OWNER to CITY.

OWNER Further Agrees, that if to any reason the CITY determines it to be necessary to file a Complaint in the Court of Common Pleas of Franklin, County for the impaneling of a jury to assess the compensation to be paid for the heretofore described real estate, this contract may be introduced in 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 Purchaser, its successors and assigns.

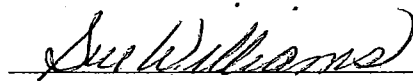
OWNER

DATE 2-19-11



Jack A. Williams

DATE 2-19-11



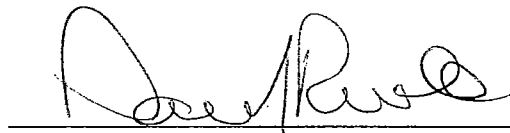
Sue Williams

CITY OF GAHANNA

By:

DATE _____

DATE 2/19/11



By: David J. Rourke
Stantec Consulting

DESCRIPTION OF A PROPOSED FIFTEEN-FOOT
WIDE (0.141 ACRE) SANITARY SEWER
EASEMENT AREA OF LAND LOCATED EAST OF
HAMILTON ROAD AND SOUTH OF MORSE ROAD,
IN THE CITY OF GAHANNA, COUNTY OF FRANKLIN,
STATE OF OHIO

PERMANENT EASEMENT

Situated in the State of Ohio, County of Franklin, City of Gahanna, being in Quarter Township 2, Township 1, Range 16, United States Military Lands and being a strip of land fifteen-feet in width (0.141 acre, more or less), in that 2.45 acre tract of land described in the deed to Jack A. Williams and Sue Williams, of record in Instrument No. 199807100173230, all records herein at the Recorder's Office, Franklin County, Ohio, said 0.141 acre area of land being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 2.45 acre tract and being located S89°50'00"W, a distance of 260.88 feet from a point in the centerline of Hamilton Road, said point being located S01°00'00"E, a distance of 821.71 feet from, as measured along the centerline of said Hamilton Road, Franklin County Geodetic Survey Monument No. 8817; thence, from said reference point of beginning, S01°21'28"E, with the westerly line of said 2.45 acre tract, a distance of 513.53 feet to the true point of beginning;

Thence, from said true point of beginning, N71°37'11"E, a distance of 17.54 feet to a point;

Thence N55°17'11"E, a distance of 172.85 feet to a point;

Thence N01°42'49"W, a distance of 99.56 feet to a point;

Thence N50°00'32"E, a distance of 122.27 feet to a point in a northerly line of said 2.45 acre tract, the same being in a southerly line of that 2.564 acre tract of land described in the deed to The Stonehenge Company, of record in Instrument No. 199906160153229;

Thence N76°36'20"E, with a southerly line of said 2.564 acre tract and with a northerly line of said 2.564 acre tract, a distance of 33.50 feet to a point;

Thence S50°00'32"W, a distance of 144.96 feet to a point;

Thence S01°42'49"E, a distance of 100.44 feet to a point;

Thence S55°17'11"W, a distance of 105.28 feet to a point in the southerly line of said 2.45 acre tract, the same being in the northerly line of that 3.05 acre tract of land described in the deed to Canini and Pellicchia, Inc., of record in Instrument No. 199908110204889;

Thence S89°06'52"W, with a southerly line of said 2.45 acre tract and with a northerly line of said 3.05 acre tract, a distance of 20.72 feet to a point;

Thence S42°40'16"W, with the southeasterly line of said 2.45 acre tract and with a northwesterly line of said 3.05 acre tract, a distance of 18.79 feet to a point;

Thence S28°09'48"W, with a southeasterly line of said 2.45 acre tract and with a northwesterly line of said 3.05 acre tract, a distance of 16.30 feet to a point;

Thence S55°17'11"W, a distance of 27.82 feet to a point;

Thence S71°37'11"W, a distance of 24.33 feet to a point in the westerly line of said 2.45 acre tract and in the easterly line of that 1.556 acre tract of land described in the deed to Donald R. Bentley, Jr. and Mary C. Bentley, of record in Official Record 7941E19;

DESCRIPTION OF A PROPOSED FIFTEEN-FOOT WIDE (0.141 ACRE) SANITARY SEWER EASEMENT AREA OF LAND LOCATED EAST OF HAMILTON ROAD AND SOUTH OF MORSE ROAD-(CONT'D)-

Thence N01°12'30"W, with the westerly line of said 2.45 acre tract and with the easterly line of said 1.556 acre tract, a distance of 15.70 feet to the true point of beginning and being a 0.141 acre area of land, more or less.

PURPOSE

For the purpose of constructing, using and maintaining a sanitary sewer, appurtenant works and tributary connections in any part of the herein above described 0.041 acre permanent easement, including the right to clean, repair and care for said sewer, together with the right of access to said 0.141 acre permanent easement for said purpose.

TEMPORARY CONSTRUCTION EASEMENT

The right to use, only during the period of construction of the sanitary sewer herein provided for, two (2) additional areas described as follows:

AREA A (0.278 ACRE)

Beginning at the true point of beginning of the herein above described 0.141 acre permanent easement;

Thence N01°12'30"W, with the westerly line of said 2.45 acre tract, a distance of 30.06 feet to a point;

Thence N55°17'11"E, parallel with and 30.00 feet northwesterly from, as measured at right angles, a northwesterly line of said 0.141 acre permanent easement, a distance of 156.80 feet to a point;

Thence N01°42'49"W, parallel with and 30.00 feet westerly from, as measured at right angles, the westerly line of said 0.141 acre permanent easement, a distance of 97.82 feet to a point;

Thence N50°00'32"E, parallel with and 30.00 feet northwesterly from, as measured at right angles, a northwesterly line of said 0.141 acre permanent easement, a distance of 143.01 feet to a point in an easterly line of said 2.45 acre tract;

Thence S23°06'17"E, with an easterly line of said 2.45 acre tract, a distance of 30.03 feet to a point at a corner of said 2.45 acre tract;

Thence N76°36'20"E, with a northerly line of said 2.45 acre tract, a distance of 2.82 feet to a point;

Thence S50°00'32"E, with a northwesterly line of said 0.141 acre permanent easement, a distance of 122.27 feet to a point;

Thence S01°42'49"E, with the westerly line of said 0.141 acre permanent easement, a distance of 99.56 feet to a point;

Thence S55°17'11"W, with the northwesterly line of said 0.141 acre permanent easement, a distance of 172.85 feet to a point;

Thence S71°37'11"W, with a northerly line of said 0.141 acre permanent easement, a distance of 17.54 feet to the true point of beginning and being a 0.278 acre area of land, more or less;

DESCRIPTION OF A PROPOSED FIFTEEN-FOOT-WIDE (0.141 ACRE) SANITARY-SEWER EASEMENT AREA OF LAND LOCATED EAST OF HAMILTON ROAD AND SOUTH OF MORSE ROAD-(CONT'D)-

AREA B (0.023 ACRE)

Beginning, for reference, at the easternmost corner of the herein above described 0.141 acre permanent easement; thence S50°00'32"W, with a southeasterly line of said permanent easement, a distance of 132.22 feet to the true point of beginning;

Thence, from said true point of beginning, S1°42'49"E, parallel with and 10.00 feet easterly from, as measured at right angles, the easterly line of said permanent easement, a distance of 101.83 feet to a point;

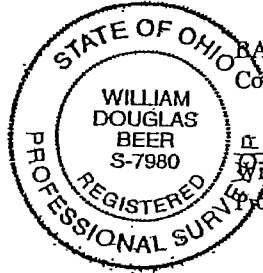
Thence S55°17'11"W, a distance of 11.92 feet to an angle point in the southeasterly boundary of said permanent easement;

Thence N1°42'49"W, with the easterly line of said permanent easement, a distance of 100.44 feet to a point;

Thence N50°00'32"E, with a southeasterly line of said permanent easement, a distance of 12.74 feet to the true point of beginning and being a 0.023 acre area of land, more or less.

We hereby state that the foregoing description was prepared from information obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc. in May of 2000.

The bearings given in the foregoing description are based upon the bearing of N1°00'00"W, as given for the centerline of said Hamilton Road in the deed to The Stonehenge Company, of record in Instrument No. 200003010041021, Recorder's Office, Franklin County, Ohio.



BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers

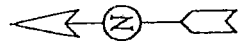
William D. Beer

William D. Beer
Professional Surveyor No. 7980

FRANKLIN COUNTY, OHIO
 ROAD 78417

TO MORSE ROAD

LINE	LENGTH	BEARING
L1	17.54	N71°37'11"V
L2	24.33	S71°37'11"V
L3	11.92	S55°17'11"V
L4	3.82	N76°06'20"E
L5	33.50	S76°36'20"V
L6	30.06	S23°06'17"E
L7	30.06	N01°12'30"V
L8	15.70	N01°12'30"V
L9	16.30	S28°09'48"V
L10	18.79	S42°40'16"V
L11	20.72	N89°05'32"E
L12	27.82	S55°17'11"V
L13	3.77	N28°09'48"E
L14	54.04	N54°23'15"V



* Situated in the State of Ohio, County of Franklin, City of Gahanna, being in Quarter Section 2, Township 1, Range 16, United States Military Lands, and being a strip of land fifteen-feet in width (0.141 acre, more or less), being part of that 2.45 acre tract of land described in the deed to Jack A. and Sue Williams, of record in Instrument No. Instrument 199807100173230, Recorder's Office, Franklin County, Ohio.

** Situated in the State of Ohio, County of Franklin, City of Gahanna, being in Quarter Section 2, Township 1, Range 16, United States Military Lands, and being a portion of a fifteen-foot wide strip of land (0.007 acre, more or less), being part of that 2.45 acre tract of land described in the deed to Conini and Pellicchia, Inc. of record in Instrument No. 199908110204889, Recorder's Office, Franklin County, Ohio.

The bearings shown on the above map correspond to the bearing of N 01°00'00" W as given for the centerline of Hamilton Road and described in the deed to Stonehenge Company, of record in Instrument No. 200003010041021, Recorder's Office, Franklin County, Ohio.

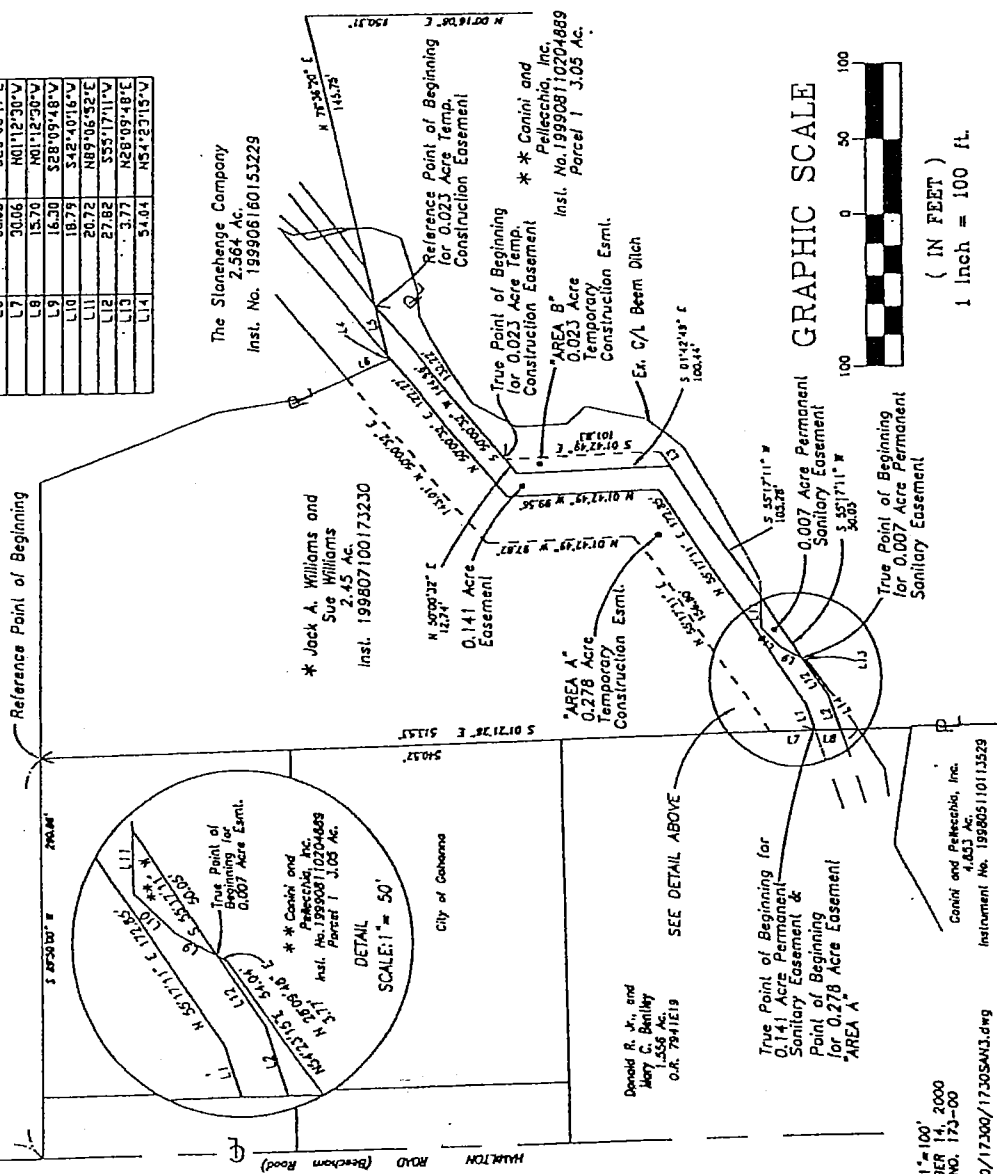


BAUER, DAVIDSON & MERCHANT, INC.
 CONSULTING ENGINEERS
 BY *William D. Beer*
 William D. Beer
 Professional Surveyor No. 7980

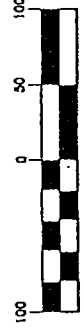
**EXHIBIT OF PROPOSED FIFTEEN-FOOT WIDE
 SEWER EASEMENT AREA OF LAND
 LOCATED EAST OF HAMILTON ROAD AND SOUTH
 OF MORSE ROAD IN THE CITY OF GAHANNA,
 COUNTY OF FRANKLIN, STATE OF OHIO**

255 Green Meadows Drive S.
 P.O. Box 370
 Powell, Ohio 43065
 (614) 846-3393

BAUER,
 DAVIDSON &
 MERCHANT, INC.
 Consulting Engineers



GRAPHIC SCALE



(IN FEET)
 1 Inch = 100 ft.

SCALE: 1"=100'
 SEPTEMBER 17, 2000
 ORDER NO. 173-00

Conini and Pellicchia, Inc.
 4433 Ac.
 Instrument No. 199805110113229

Donald R. Jr. and
 Mary C. Banley
 1.556 Ac.
 O.R. 7841E19

SEE DETAIL ABOVE

True Point of Beginning for
 0.141 Acre Permanent
 Sanitary Easement &
 Point of Beginning
 for 0.278 Acre Easement
 "AREA A"

True Point of Beginning
 for 0.007 Acre Permanent
 Sanitary Easement

True Point of Beginning
 for 0.023 Acre Temp.
 Construction Easement
 "AREA B"
 0.023 Acre
 Temporary
 Construction Easmt.
 Ex. C/L Beam Ditch

Reference Point of Beginning
 for 0.023 Acre Temp.
 Construction Easement
 * * Conini and
 Pellicchia, Inc.
 Instrument No. 199908110204889
 Parcel 1 3.05 Ac.

The Stonehenge Company
 2.564 Ac.
 Inst. No. 199906160153229

* Jack A. Williams and
 Sue Williams
 2.45 Ac.
 Inst. 199807100173230

* * Conini and
 Pellicchia, Inc.
 Inst. No. 199908110204889
 Parcel 1 3.05 Ac.
 DETAIL
 SCALE: 1"= 50'

City of Gahanna

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