

ACCESS EASEMENT

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 07/08/2008 9:54AM MLCITY OF GAH
 Robert G. Montgomery
 Franklin County Recorder

KNOW ALL MEN BY THESE PRESENTS, that The City of Gahanna, an Ohio Municipal corporation ("Grantor"), in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to it paid by MJM Investments Co ("Grantee"), the receipt of which is hereby acknowledged, does hereby grant and release to Grantee, its successors and assigns, forever, a non-exclusive easement as an access road for vehicular ingress and egress and parking over and upon the following described real estate (the ingress-egress and parking easement) SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

This easement is an appurtenant right and benefit to the real property more particularly described in Exhibit "B", attached hereto and made a part hereof, and shall run with the land.

The rights granted herein shall not be construed to interfere with or restrict the use of the Easement Premises by Grantor, its successors and assigns, for any purpose not inconsistent with the easement rights granted herein to Grantee, except that the Grantor, its successors and assigns, forever, shall not construct any building or other structural improvement within the Easement Premises.

Grantee shall indemnify and hold harmless Grantor, its successors and assigns, from and against any liability, loss, cost, expense or damage (including, by way of example but not limitation attorneys' fees) that arise, directly or indirectly, from the exercise by Grantee of the easement rights granted herein. The Grantee further agrees to maintain the pavement on the easement.

Grantor agrees not to obstruct or interfere in any material way with the free flow of vehicular traffic over the Easement Premises, except to the extent necessary for repair and maintenance, traffic regulation and control, and to prevent a dedication thereof or the accrual of any prescriptive rights therein.

TO HAVE AND TO HOLD said premises unto said Grantee, its successors and assigns, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, Grantor hereby covenants with the Grantee that it is the lawful owner of the above described real estate that is lawfully seized of the same in fee simple and has good, right and full power to make this grant, have hereunto set its hand this 25 day of June, 2008.

Grantor:

City of Gahanna

By: Rebecca W. Stinchcomb

Rebecca W. Stinchcomb, Mayor

As authorized by Ordinance 0019-2008

Which has an effective date of March 8, 2008

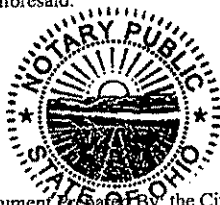
STATE OF OHIO

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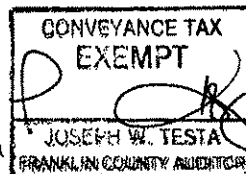
COUNTY OF FRANKLIN

BE IT REMEMBERED, that on this 25 day of June, 2008, before me, the subscriber, a Notary Public in and for the said State, personally came the above named Rebecca W. Stinchcomb The City of Gahanna, an Ohio Municipal Corporation who acknowledged the signing of this instrument to be _____ voluntary act and deed for the uses and purposes therein mentioned.

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



BRANDI BRAUN
 Notary Public, State of Ohio
 My Commission Expires
 March 23, 2010



TRANSFER
 NOT NECESSARY

JUL 08 2008

JOSEPH W. TESTA
 AUDITOR
 FRANKLIN COUNTY, OHIO

This Instrument Prepared By: the City of Gahanna

200 S Hamilton

12 d
 Gahanna OH
 43230

EXHIBIT A

EXHIBIT "A"

Situated in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 1, Township 1, Range 17, United States Military Lands and being part of that tract of land designated "PARK", and shown on the Plat of "E.R. LINTNER'S ADDITION", of record in Plat Book 21, Page 14 and as said "PARK" was conveyed to The Village of Gahanna, by deed of record in Deed Book 2731, Page 52, all references being to Records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows;

Beginning at an iron pin found at an angle point at a southeasterly corner of said "PARK", also being the northeasterly corner of the MJM Investment Co., 0.538 acre tract, of record in Official Record 139 D09;

thence North 89°44'30" West, with the northerly line of said MJM Investment Co. 0.538 acre tract, a distance of 120.42 feet to a point;

thence North 20°49'00" East, a distance of 26.70 feet to a point;

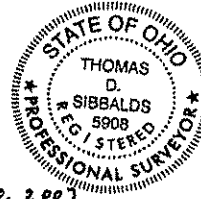
thence South 89°44'30" East, a distance of 116.57 feet to a point in the westerly right-of-way line of Mill Street;

thence with said right-of-way line of Mill Street, being the arc of a curve to the left (Delta= 4°46'04", Radius=603.70 feet), a chord bearing and distance of South 5°38'09" West, 50.22 feet to the southeasterly corner of the "PARK";

thence North 89°44'30" West, with the southerly line of said "PARK", a distance of 0.82 feet, to an angle point in said line and being in the easterly line of the MJM Investment Co. 0.538 acre tract;

thence North 0°15'30" East, with a line of said "PARK", the easterly line of said 0.538 acre tract, a distance of 25.00 feet to the place of beginning.

GGC ENGINEERS



By Thomas D. Sibbalds Date August 20, 2007
Thomas D. Sibbalds
Registered Surveyor No. 5908

DATE: AUGUST 9, 2007



E.R. LINTNER'S ADDITION
"PART"
P.B. 21, PG. 14

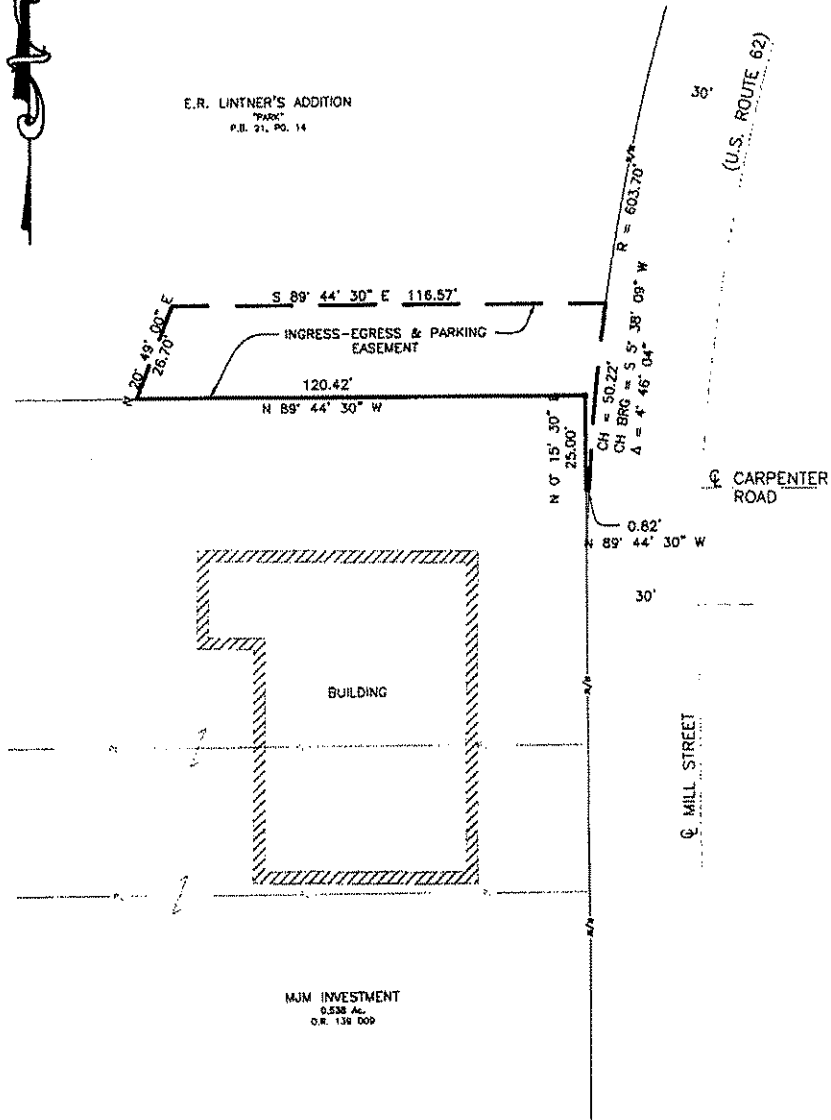


EXHIBIT "B"

CLIENT: CITY OF GAHANNA

LOCATION: MILL STREET



ENGINEERS

132 N HIGH STREET GAHANNA, OHIO 43220
 PHONE 614-471-7310 FAX: 614-471-7320
 WWW.GGEENGINEERS.COM

INGRESS-EGRESS PARKING EASEMENT

DATE:

PROJECT # 07673

11-30