



DO NOT DETACH

<div style="text-align: center;"> Instrument Number: 201906170072115 Recorded Date: 06/17/2019 2:47:40 PM</div> <div style="text-align: center;"> Daniel J. O'Connor Jr. Franklin County Recorder 373 South High Street, 18th Floor Columbus, OH 43215 (614) 525-3930 http://Recorder.FranklinCountyOhio.gov Recorder@FranklinCountyOhio.gov</div>	<div style="text-align: center;">Return To (Box): CITY ATTORNEY BOX/REAL ESTATE DIV.</div>										
Transaction Number: T20190034385 Document Type: EASEMENT Document Page Count: 12	Box										
Submitted By (Walk-In): CITY ATTORNEY BOX/REAL ESTATE DIV.	Walk-In										
First Grantor: POLO CLUB VILLAS CONDOMINIUM ASSN	First Grantee: COLUMBUS CITY OF										
Fees: <table style="width: 100%;"><tr><td>Document Recording Fee:</td><td style="text-align: right;">\$28.00</td></tr><tr><td>Additional Pages Fee:</td><td style="text-align: right;">\$80.00</td></tr><tr><td>Total Fees:</td><td style="text-align: right;">\$108.00</td></tr><tr><td>Amount Paid:</td><td style="text-align: right;">\$108.00</td></tr><tr><td>Amount Due:</td><td style="text-align: right;">\$0.00</td></tr></table>	Document Recording Fee:	\$28.00	Additional Pages Fee:	\$80.00	Total Fees:	\$108.00	Amount Paid:	\$108.00	Amount Due:	\$0.00	Instrument Number: 201906170072115 Recorded Date: 06/17/2019 2:47:40 PM
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OFFICIAL RECORDING COVER PAGE

DO NOT DETACH

THIS PAGE IS NOW PART OF THIS RECORDED DOCUMENT

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TRANSFER
NOT NECESSARY

JUN 17 2019

MICHAEL STINZIANO
AUDITOR
FRANKLIN COUNTY, OHIO

CONVEYANCE TAX
EXEMPT
P BD
MICHAEL STINZIANO
FRANKLIN COUNTY AUDITOR

DEED OF EASEMENT
(FOR CHANNEL AND STORMWATER PURPOSES)

KNOW ALL MEN BY THESE PRESENTS that **POLO CLUB VILLAS CONDOMINIUM ASSOCIATION**, an Ohio non-profit corporation, "Grantor", for One Dollar (\$1.00) and other good and valuable consideration given by the **CITY OF COLUMBUS, OHIO**, a municipal corporation, in the name of and for the use of the **CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**, a municipal corporation, "Grantee", the receipt of which is hereby acknowledged, does hereby forever grant unto said Grantee, its successors and assigns, an exclusive perpetual easement in, over, under, across and through the following described real property (the "Easement Area"), including the right of reasonable access thereto, for the purposes of excavating, constructing, installing, reconstructing, replacing, removing, repairing, maintaining, controlling, and operating a perpetual water course, ditch, channel, storm sewer lines, pipes, detention and retention facilities or other drainage facility (the "Improvement").

PARCEL NO. 19CHV,SV, 22CHV, 24CHV

(SEE LEGAL DESCRIPTION ATTACHED HERETO
AS EXHIBIT "A" AND MADE A PART HEREOF)

Prior Instrument References: O.R. Vol. 29623, Page B07, O.R. Vol. 30961 Page E15, O.R. Vol. 32041, Page E06, (re-recorded in Vol. 32064, Page E18), O.R. Vol 32971, Page I05, and O.R. Vol 33461, Page A15; Recorder's Office, Franklin County, Ohio.

The Easement shall run with the land and all terms and conditions contained herein shall inure to the benefit of and be binding upon the parties and their respective heirs, executors, administrators, successors and assigns.

Grantor extends no assurance that the Easement area is safe for entry or use, and assumes no responsibility for any injury to person or property caused by an act or omission of users of the Easement area.

Grantee is responsible for the maintenance, repair, replacement, and removal of the facilities and improvements in, on, over, across, through and under the Easement area.

Grantor hereby releases and discharges the Grantee, City of Columbus, Ohio, and the City of Gahanna from any future Ohio Constitution, Article I, Section 19 just compensation claims arising from this grant.

The Grantee, as soon as is practicable after all entries made pursuant to the rights granted herein, shall cause restoration of the described Easement Area by returning it to its former grade and restoring the surface to its former condition as nearly as is reasonably possible, but subject to the terms and conditions and the improvements anticipated by the easement rights granted herein. Restoration shall not include any repair, replacement, or compensation of any improvement(s) including, but not limited to, other facilities, fence(s), wall(s), tree(s), bushes, vegetation, flower(s), or landscaping.

The perpetual easement rights granted herein are "exclusive" as to all except the Grantor and any previously granted rights of record. Grantor retains the right to use the subject real property for

all purposes which do not in any manner impair the Grantee's use or interfere with the construction, operation, maintenance, repair, removal, replacement or reconstruction of the "Improvement" or access thereto. Grantor shall not cause or allow any permanent or temporary building, structure, facility, or improvement to be constructed in or upon the subject easement, except utility service lines, asphalt or concrete parking, driveways, and sidewalks. If Grantor makes permanent or temporary improvements in or upon said Easement Area, other than those stated above, then Grantor shall assume full responsibility for any damage or destruction of such improvements by Grantee, and Grantee, its employees, agents, representatives and contractors, shall not be liable for any damage or destruction of such improvements during the good faith exercise of the rights granted herein.

Failure or refusal to exercise any rights in this Easement shall not be a waiver of any kind and no waiver is valid unless executed in writing by the parties and properly recorded. In the event any provision of this Easement is held invalid or unenforceable by any court of competent jurisdiction, such holding will not invalidate or render unenforceable any other provision hereof. This Easement will be governed by and construed in accordance with the laws of the State of Ohio.

This Easement, or any easement or covenant set forth herein, may not be amended terminated, rescinded, or otherwise modified, in whole or in part, except by a written instrument executed by the parties hereto and recorded with the Recorder's Office, Franklin County, Ohio with reference made to this Easement. All recording costs related to this Easement is Grantee's sole and exclusive responsibility.

The Grantor hereby covenants with Grantee to be the true and lawful administrator of the common element real property and having good right and full power to grant this Deed of Easement, and will not convey or transfer fee simple ownership of the described real property prior to this instrument being recorded.

Nothing contained herein will be deemed or construed by the parties or by any third party as creating the relationship of principal and agent, of partnership, or joint venture between the parties, it being understood and agreed that no provision contained herein or any act of the parties hereto will be deemed to create any relationship other than the Grantor and Grantee of the rights and easement set forth herein.

The Grantor, by its duly authorized representative, has caused this instrument to be executed and subscribed this 11th day of June 2019.

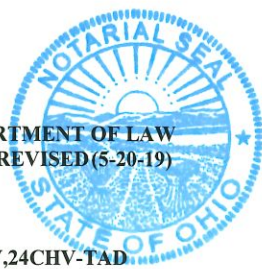
POLO CLUB VILLAS
CONDOMINIUM ASSOCIATION
an Ohio non-profit corporation

By: Melinda K. Blakee
Print Name: MELINDA K. BLAKEE
Title: PRESIDENT

STATE OF Ohio
COUNTY OF Franklin, SS:

BE IT REMEMBERED, that on this 11th day of June 2019, I affixed my seal evidencing the foregoing instrument was acknowledged before me by Melinda K. Blakee, President, on behalf of Polo Club Villas Condominium Association, an Ohio non-profit corporation.

This instrument prepared by:
CITY OF COLUMBUS, DEPARTMENT OF LAW
By: David E. Peterson REVISED(5-20-19)
Real Estate Attorney
Real Estate Division
For: Design & Construction
Re: HAM-A 19CHV,SV,22CHV,24CHV-TAD



Thomas A. D'Amico
Notary Public, State of Ohio
My Commission Expires 11-29-2020

Thomas A. D'Amico
Notary Public

EXHIBIT A

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RX 279 CHV

Rev. 06/09

Ver. Date 04/04/19

PID 99852

**PARCEL 19-CHV
HAMILTON ROAD
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A CHANNEL
IN THE NAME AND FOR THE USE OF THE
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility upon the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 2, Township 1, Range 16 of the United States Military Lands and being 0.516 acres within an 8.334 acre parcel conveyed to POLO CLUB VILLAS CONDOMINIUM as described in Official Record 29623B07 (Declaration) and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of a survey made for project Hamilton Road, made by the Department of Transportation, and being located within the following described points in the boundary thereof:

Beginning at the northwesterly corner of the said 8.334 acre parcel and on the southerly right-of-way line of Morse Road and being 50.00 feet right of centerline Station 241+35.33;

Thence along the said southerly right-of-way line of Morse Road, South 86°34'28" East, a distance of 894.48 feet to the northeasterly property corner of the said 8.334 acre parcel being 50.00 feet right of centerline Station 250+29.81;

Thence along the easterly property line of the said 8.334 acre parcel, South 3°25'32" West, a distance of 10.00 feet to a point being 60.00 feet right of centerline Station 250+29.81;

Thence across the said 8.334 acre parcel, North 86°34'28" West a distance of 781.37 feet to a point being 60.00 feet right of centerline Station 242+48.44;

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Thence across the said 8.334 acre parcel, South $3^{\circ}58'38''$ West, a distance of 170.78 feet to a point being 230.77 feet right of centerline Station 242+46.80;

Thence across the said 8.334 acre parcel, South $74^{\circ}26'14''$ West, a distance of 42.71 feet to the westerly property line of the said 8.334 acre parcel and being 244.66 feet right of centerline Station 242+06.42;

Thence along the said westerly property line, North $16^{\circ}38'05''$ West, a distance of 207.24 feet to the Point of Beginning, containing 0.516 acres, more or less.

The above described area contains 0.516 acres, more or less, within Auditors Permanent Parcel Numbers 025-010880 thru 025-010919.

This description was prepared and reviewed on April 4, 2019 by Daniel J. Hornyak, Registered Surveyor #7963.

This description is based upon a field survey performed by Dynotec, Inc. in January, 2015.



Grantor claims title by Official Record 29623 B07 in the Franklin County Recorder's Office.

The basis of bearings shown are based on the State Plane Coordinate System, Ohio South, as per NAD 83 (96 CORS) established by Dynotec, Inc. using GPS procedures and equipment which sets the centerline of Morse Road as South $86^{\circ}34'28''$ East.

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The stations referred to herein are from centerline right-of-way of Morse Road as found on O.D.O.T. right of way plan "Hamilton Road" on file with the Ohio Department of Transportation, District 6, City of Delaware, Delaware County, State of Ohio.



04/08/19

Daniel J. Hornyak, PS
Reg. Surveyor No. 7963

Date

EXHIBIT A

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RX 277 SV

Rev. 06/09

Ver. Date 04/04/19

PID 99852

**PARCEL 19-SV
HAMILTON ROAD
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A SEWER
IN THE NAME AND FOR THE USE OF THE
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a sewer in, upon and over the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 2, Township 1, Range 16 of the United States Military Lands and being 0.108 acres within an 8.334 acre parcel conveyed to POLO CLUB VILLAS CONDOMINIUM as described in Official Record 29623B07 (Declaration) and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of a survey made for project Hamilton Road, made by the Department of Transportation, and being located within the following described points in the boundary thereof:

Beginning at the northwesterly corner of the said 8.334 acre parcel, in the existing southerly right-of-way of Morse Road and being 50.00 feet right of Morse Road Station 241+35.33;

Thence along the said existing southerly right-of-way of Morse Road, South 86°34'28" East a distance of 120.07 feet a point being 50.00 feet right of Station 242+55.40;

Thence across the said 8.334 acre parcel, South 3°25'32" West a distance of 10.00 feet to a point being 60.00 feet right of Station 242+55.40;

Thence across the said 8.334 acre parcel, North 86°34'28" West a distance of 18.51 feet to a point being 60.00 feet right of Station 242+36.89;

Thence across the said 8.334 acre parcel, South 7°41'53" West a distance of 155.45 feet to a point being 215.02 feet right of Station 242+25.30;

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Thence across the said 8.334 acre parcel, North 88°15'29" West a distance of 29.41 feet to the westerly property line of the said 8.334 acre parcel and being 215.89 feet right of Station 241+95.91;

Thence along the said westerly property line, North 16°38'05" West a distance of 21.07 feet to a point being 196.09 feet right of Station 241+88.68;

Thence across the said 8.334 acre parcel, South 88°15'29" East a distance of 18.03 feet a point being 195.56 feet right of Station 242+06.70;

Thence across the said 8.334 acre parcel, North 7°41'53" East a distance of 133.93 feet a point being 62.00 feet right of Station 242+16.68;

Thence across the said 8.334 acre parcel, North 86°34'28" West a distance of 76.97 feet to the westerly property line of the said 8.334 acre parcel and being 62.00 feet right of Station 241+39.71;

Thence along the said westerly property line, North 16°38'05" West a distance of 12.77 feet to the Point of Beginning, containing 0.108 acres, more or less.

The above described area contains 0.108 acres, more or less, within Auditors Permanent Parcel Numbers 025-010880 thru 025-010919.

This description was prepared and reviewed on April 4, 2019 by Daniel J. Hornyak, Registered Surveyor #7963.

This description is based upon a field survey performed by Dynotec, Inc. in January, 2015.

Grantor claims title by Official Record 29623B07 (Declaration) in the Franklin County Recorder's Office.

The basis of bearings shown are based on the State Plane Coordinate System, Ohio South, as per NAD 83 (96 CORS) established by Dynotec, Inc. using GPS procedures and equipment which sets the centerline of Morse Road as South 86°34'28" East.

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The stations referred to herein are from centerline right-of-way of Morse Road as found on O.D.O.T. right of way plan "Hamilton Road" on file with the Ohio Department of Transportation, District 6, City of Delaware, Delaware County, State of Ohio.



A handwritten signature in cursive script, appearing to read "D. Hornyak", written over a horizontal line.

Daniel J. Hornyak, PS
Reg. Surveyor No. 7963

A handwritten date "04/08/19" written in cursive script over a horizontal line.

Date

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Ver. Date 09/22/17

PID 99852

**PARCEL 22-CHV
HAMILTON ROAD
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A CHANNEL
IN THE NAME AND FOR THE USE OF THE
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility upon the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 2, Township 1, Range 16 of the United States Military Lands and being 0.027 acres within a 2.143 acre parcel conveyed to POLO CLUB VILLAS CONDOMINIUM FOURTH AMENDMENT as described in Official Record 33461A15 and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of a survey made for project Hamilton Road, made by the Department of Transportation, and being located within the following described points in the boundary thereof:

Beginning on the southerly existing right-of-way of Morse Road at the northwest corner of the said 2.143 acre tract, being 50.00 feet right of centerline Station 250+29.81;

Thence along the said southerly existing right-of-way of Morse Road, South 86°34'28" East a distance of 116.08 feet to the northeast corner of the said 2.143 acre tract and being 50.00 feet right of centerline Station 251+45.89;

Thence along the easterly property line of the said 2.143 acre tract, South 3°48'31" West a distance of 10.00 feet to a point being 60.00 feet right of centerline Station 251+45.82;

Thence across the said 2.143 acre tract, North 86°34'28" West a distance of 116.01 feet to the westerly property line of the said 2.143 acre tract, being 60.00 feet right of centerline Station 250+29.81;

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Thence along the said westerly property line, North 3°25'32" East a distance of 10.00 feet to the place of beginning, containing 0.027 acres, more or less.

The above described area is within Auditors Permanent Parcel Numbers 025-011359 thru 025-011378.

This description was prepared and reviewed on September 22, 2017 by Robert A. Bosworth, Registered Surveyor #7750.

This description is based upon a field survey performed by Dynotec, Inc. in January, 2015.

Grantor claims title by Official Record 33461A15 in the Franklin County Recorder's Office.

The basis of bearings shown are based on the State Plane Coordinate System, Ohio South, as per NAD 83 (96 CORS) established by Dynotec, Inc. using GPS procedures and equipment, which sets the centerline of Morse Road as South 86°34'28" East.

The stations referred to herein are from centerline right-of-way of Morse Road as found on O.D.O.T. right-of-way plan Hamilton Road.



Robert A. Bosworth, PS, PE
Reg. Surveyor No. 7750

Date

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Ver. Date 09/19/17

PID 99852

**PARCEL 24-CHV
HAMILTON ROAD
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A CHANNEL
IN THE NAME AND FOR THE USE OF THE
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility upon the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Gahanna, being located in Quarter Township 2, Township 1, Range 16 of the United States Military Lands and being 0.003 acres within a 3.293 acre parcel conveyed to POLO CLUB VILLAS CONDOMINIUM FIFTH AMENDMENT, as described in Instrument Number 200105100102976 and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of a survey made for project Hamilton Road, made by the Department of Transportation, and being located within the following described points in the boundary thereof:

Beginning on the southerly existing right-of-way of Morse Road, said point being the northwestern corner of said parcel and being 50.00 feet right of Morse Road centerline Station 251+45.89;

Thence along the said southerly existing right-of-way of Morse Road, South 86°34'28" East, a distance of 14.41 feet to a point at the northeast corner of the said parcel, being 50.00 feet right of Morse Road centerline Station 251+60.30;

Thence along the easterly property line of the said 3.293 acre tract, South 3°40'29" West a distance of 10.00 feet to a point being 60.00 feet right of Morse Road centerline Station 251+60.26;

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Thence across the said 3.293 acre tract, North 86°34'28" West a distance of 14.44 feet to a point on the westerly property line of said tract, being 60.00 feet right of Morse Road centerline Station 251+45.82;

Thence along the westerly property line of the said 3.293 acre tract, North 3°48'31" East a distance of 10.00 feet to the place of beginning, containing 0.003 acres, more or less.

The above described area is within Auditors Permanent Parcel Numbers 025-010880 thru 025-012934.

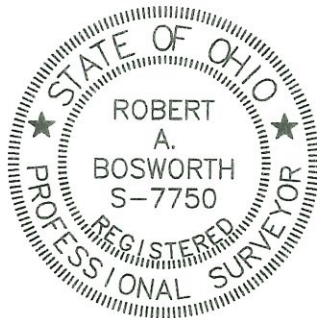
This description was prepared and reviewed on May 23, 2016 by Robert A. Bosworth, Registered Surveyor #7750.

This description is based upon a field survey performed by Dynotec, Inc. in January, 2015.

Grantor claims title by Instrument Number 200105100102976 in the Franklin County Recorder's Office.

The basis of bearings shown are based on the State Plane Coordinate System, Ohio South, as per NAD 83 (96 CORS) established by Dynotec, Inc. using GPS procedures and equipment, which sets the centerline of Morse Road as South 86°34'28" East.

The stations referred to herein are from centerline right-of-way of Morse Road as found on O.D.O.T. right-of-way plan Hamilton Road.



Robert A. Bosworth
Robert A. Bosworth, PS, PE
Reg. Surveyor No. 7750

9-19-17
Date