
PERPETUAL UTILITY AND ROADWAY EASEMENT

Know All Men By These Presents: That Mary Kay Walker, an unmarried woman of legal age, whose tax mailing address is 303 Appian Avenue, Napoleon, Ohio, 43545, the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the City of Napoleon, Ohio, a municipal corporation, the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY and RELEASE** to the Grantee, its successors and assigns forever, a perpetual alienable Utility Easement with the right to lay, install, construct, reconstruct, erect, repair, supplement, maintain, operate, and/or remove, at any time or times hereafter, its pavement, curbing, sidewalks, water system, storm sewer system and sanitary sewer system, including but not limited to water mains, storm sewers, sanitary sewers, pipes, conduits, fixtures, surface monuments, and manholes associated therewith, and appurtenances thereto, as it deems necessary, both above and below ground, with the further right to permit the attachment of, and/or carry in underground or aboveground water and sewer facilities of it or any other company with services and extensions therefrom, in, on, over, and/or under our lands, with the right of ingress to and egress from, across and over said premises (real estate) situated in the City of Napoleon, County of Henry and State of Ohio, and described as:

Being part of Lot 15 of John G. Lowe's First Addition, City of Napoleon, Napoleon Township, Henry County, Ohio, and being more particularly described as follows:

Commencing at a P.K. nail at the intersection of the centerline of East Maumee Avenue (St. Rt. 110) and Appian Avenue (formerly U.S. Rt. 6); thence South 43°50'0" East and along the centerline of said Appian Avenue, a distance of thirty and ninety-six hundredths (30.96) feet to a point; thence South 60°30'0" West ~~and~~ along a line being the easterly extension of the southerly line of said East Maumee Avenue right-of-way, a distance of ~~a distance of~~ thirty and ninety-six hundredths (30.96) feet to a point being the intersection of said southerly right-of-way of East Maumee Avenue and the westerly right-of-way of said Appian Avenue and the **POINT OF BEGINNING**; thence South 43°50'0" East along said westerly right-of-way of Appian Avenue, a distance of fifteen and zero hundredths (15.00) feet to a point; thence North 81°40'0" West, a distance of twenty-three and sixty-nine hundredths (23.69) feet to a point on said southerly right-of-way of East Maumee Avenue; thence North 60°30'0" East ~~and~~ along said southerly right-of-way of East Maumee Avenue, a distance of fifteen and zero hundredths (15.00) feet to the **POINT OF BEGINNING** and containing 109.00 square feet (0.003 acres) of land, more or less.

(All bearings stated above are assumed for the purpose of this description.)

The Grantor claims title to the above described property by virtue of deed recorded in Deed/Official Record **Volume 214, Page 231** of the records of Henry County, Ohio.

The consideration recited herein shall constitute full and final payment for said easement and all damages sustained and/or claimed by the Grantor, her heirs, executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of the laying, installing, construction, reconstruction, erection, repairing, supplementing, maintenance, operation, inspection, replacement and/or removal of said pavement, curbing, sidewalks, water system, storm sewer system, sanitary sewer system, and all appurtenances thereto, including but not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential. Nevertheless, the Grantee shall restore the Grantor's yards,

Accepted by:

Jon A. Bisher, City Manager

Date

***This Instrument Prepared
and
Approved By:***

*David M. Grahn
City of Napoleon Law Director
255 West Riverview Avenue
Napoleon, Ohio 43545
(419) 592-3503*

***Easement Description
Provided And Verified By:***

Adam C. Hoff, P.E. - City Engineer

C:\lotus\work\wordpro\DOC\SMK\Walker\Easement\November 18, 1999

SOUTHWESTERLY EASEMENT

A parcel of land for right-of-way purposes, being part of Lot fifteen (15), in John G. Lowe's First Addition to the City of Napoleon, Henry County, Ohio, and being more particularly described as follows:

Commencing at a P.K. nail found at the intersection of the center line of State Route #110 with the center line of United States Route #6, (Appian Avenue);

Thence Southwesterly along the center line of United States Route #6 (Appian Avenue), having an assumed bearing of South forty-three (43) degrees, fifty (50) minutes, and zero (00) seconds East, a distance of thirty and ninety-six hundredths (30.96) feet to a point;

Thence Northwesterly along a line being the Easterly extension of the Southerly right-of-way of State Route #110, having a bearing of South sixty (60) degrees, thirty (30) minutes, and zero (00) seconds West, a distance of thirty and ninety-six hundredths (30.96) feet to a point being the intersection of the Southerly right-of-way of State Route #110, with the Westerly right-of-way of United State Route #6, (Appian Avenue), said point also being the Northeasterly corner of said Lot fifteen (15), said point also being the **TRUE POINT OF BEGINNING**;

Thence Southeasterly along the Westerly right-of-way of United States Route #6, (Appian Avenue), said line also being the Easterly line of said Lot fifteen (15), having a bearing of South forty-three (43) degrees, fifty (50) minutes, and zero (00) seconds East, a distance of fifteen and zero hundredths (15.00) feet to a point;

Thence Northwesterly along a line having a bearing of North eighty-one (81) degrees, forty (40) minutes, and zero (00) seconds West, a distance of twenty-three and sixty-nine hundredths (23.69) feet to a point, said point being located on the Southerly right-of-way of State Route #110, said point also being located on the Northerly line of said Lot fifteen (15);

Thence Northeasterly along the Southerly right-of-way of State Route #110, said line also being the Northerly line of said Lot fifteen (15), having a bearing of North sixty (60) degrees, thirty (30) minutes, and zero (00) seconds East, a distance of fifteen and zero hundredths (15.00) feet to the **TRUE POINT OF BEGINNING**.

Containing 109 square feet which is equal to zero and three thousandths (0.003) acres of land, more or less.