



200900076843  
Filed for Record in  
HENRY COUNTY OHIO  
SARA L MYLES  
10-06-2009 At 02:44 PM.  
EASEMENT 44.00  
OR Volume 247 Page 41 - 44

200900076843  
CITY OF NAPOLEON  
CLERK OF

## TEMPORARY EASEMENT

**KNOW ALL MEN BY THESE PRESENTS:** That, Sandra R. Groll, an unmarried woman, being of legal age, whose tax mailing address is **830 W. Clinton Street**, 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 organized under the laws of Ohio, 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 Temporary Easement to allow for drive access during the construction of certain improvements that are to be constructed on adjacent lands. Said easement will be used for access of equipment, vehicles and material utilized by Grantee, including right of ingress to and egress from and over said premises (real estate) situated in the County of Henry and State of Ohio, and described as:

**SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO.  
SEE ATTACHED EXHIBIT "B", INCORPORATED HERETO FOR ILLUSTRATIONAL PURPOSE ONLY.**

**SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS, ZONING REGULATIONS, AND RESTRICTIONS OF RECORD.**

The Grantor claims title to the above described property by virtue of a deed(s) recorded in **VOLUME 228 AT PAGE 1327** of the official records of Henry County, Ohio Recorder.

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 use of said easement, including but not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential. Nevertheless, Grantee agrees to restore the grounds by seeding and leveling.

**TO HAVE AND TO HOLD** said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns forever. This Temporary Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever. The provisions of this Temporary Easement will inure to the benefit of and bind the heirs and/or successors and assigns of this respective parties to it. **NOTWITHSTANDING ANY OTHER PROVISION OF THIS TEMPORARY EASEMENT, THIS TEMPORARY EASEMENT SHALL EXPIRE ON 1-01-2010, UNLESS TERMINATED EARLIER BY THE PARTIES HERETO.**

The Grantor hereby covenants that she is the true and lawful Owner of the above described real estate and has full power and authority to convey the same and that the Grantor will warrant and defend the title to the said easement against all lawful claims.

EXECUTED BY: Sandra R. Groll this 21 day of September, 2009.

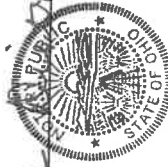
Sandra R. Groll  
Sandra R. Groll

STATE OF Ohio }  
                          } ss:  
COUNTY OF HENRY }

Before me a Notary Public in and for said County, personally appeared the above named, Sandra R. Groll, the Grantor, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 21st day of September, 2009.

(Seal)

Roxanne Dietrich  
Notary Public  
 OFFICIAL SEAL  
ROXANNE DIETRICH  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 6-23-2012

ACCEPTED BY:

Dr. Jon A. Bisher  
Dr. Jon A. Bisher, City Manager

21 SEP 09  
Date

**THIS INSTRUMENT PREPARED AND APPROVED BY:**

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

**AUDITORS OFFICE**  
**NOT-TRANSFERRED**

**OCT 06 2009**

Henry C. Auditor  
**HENRY CO. AUDITOR**

**EASEMENT DESCRIPTION PROVIDED BY:**  
Peterman and Associates  
3480 N. Main Street, Findlay, Ohio 45840

**EASEMENT DESCRIPTION VERIFIED BY:**  
Chad Lulfs P.S. P.E., Napoleon Engineer



Exhibit "A"

Instrument Volume Page  
200990 Website: petermanassoc.com  
email: petermansw@aol.com

3480 N. Main St., Findlay, Ohio 45840

Phone: 419-422-6672  
Fax: 419-422-9466

Job No. 09-0421-A

**LEGAL DESCRIPTION**  
City of Napoleon

Proposed Right of Way Easement A  
1,425 S.F.

Situated in the City of Napoleon, County of Henry, State of Ohio and being a part of Lot No. 11 of the Heller and Donnelly's First Addition, a tract of land bounded and described as follows:

Beginning at a point on the east right of way line of Erie Street (50' R/W), described as lying, N00°45'26"E, a distance of 72.11 feet from the southwest corner of Lot No. 10 of the Heller and Donnelly's First Addition, said beginning point also being the northwest corner of a tract of land as described in Volume 225, Page 634 and OR 160, Page 773 of the Henry County Deed Records;

thence along the east right of way line of Erie Street, N00°45'26"E, a distance of 20.00 feet;

thence, N89°49'37"E, a distance of 71.25 feet to the west line of a tract of land as described in OR 66, Page 927 of the Henry County Official Records;

thence along the west line of said tract of land as described in OR 66, Page 927, S00°42'26"W a distance of 20.00 feet to the northeast corner of said tract of land as described in Volume 225, Page 634 and OR 160, Page 773 of the Henry County Deed Records;

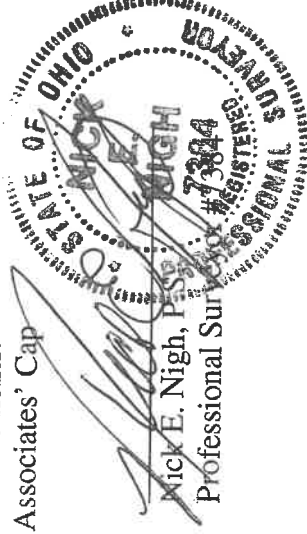
thence along the north line of said tract of land as described in Volume 225, Page 634 and OR 160, Page 773 S89°49'37"W, a distance of 71.27 feet to the Point of Beginning, containing 1,425 square feet of land, more or less, subject however to all prior easements of record.

Henry County Deed Records: OR 228, Page 1327

**NOTE:**

The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.  
I.P. Set = 5/8" x 30" Rebar with Peterman Associates' Cap

Date: August 12, 2009



"The Professional Service You Deserve - Since 1939"

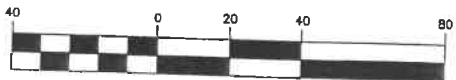
# Easement Exhibit B City of Napoleon

Being part of Lot No. 11 of the Heller and Donnelly's First Addition,  
City of Napoleon, Henry County, Ohio

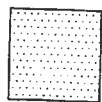
Instrument  
200900076843 OR  
Volume Page  
247 44



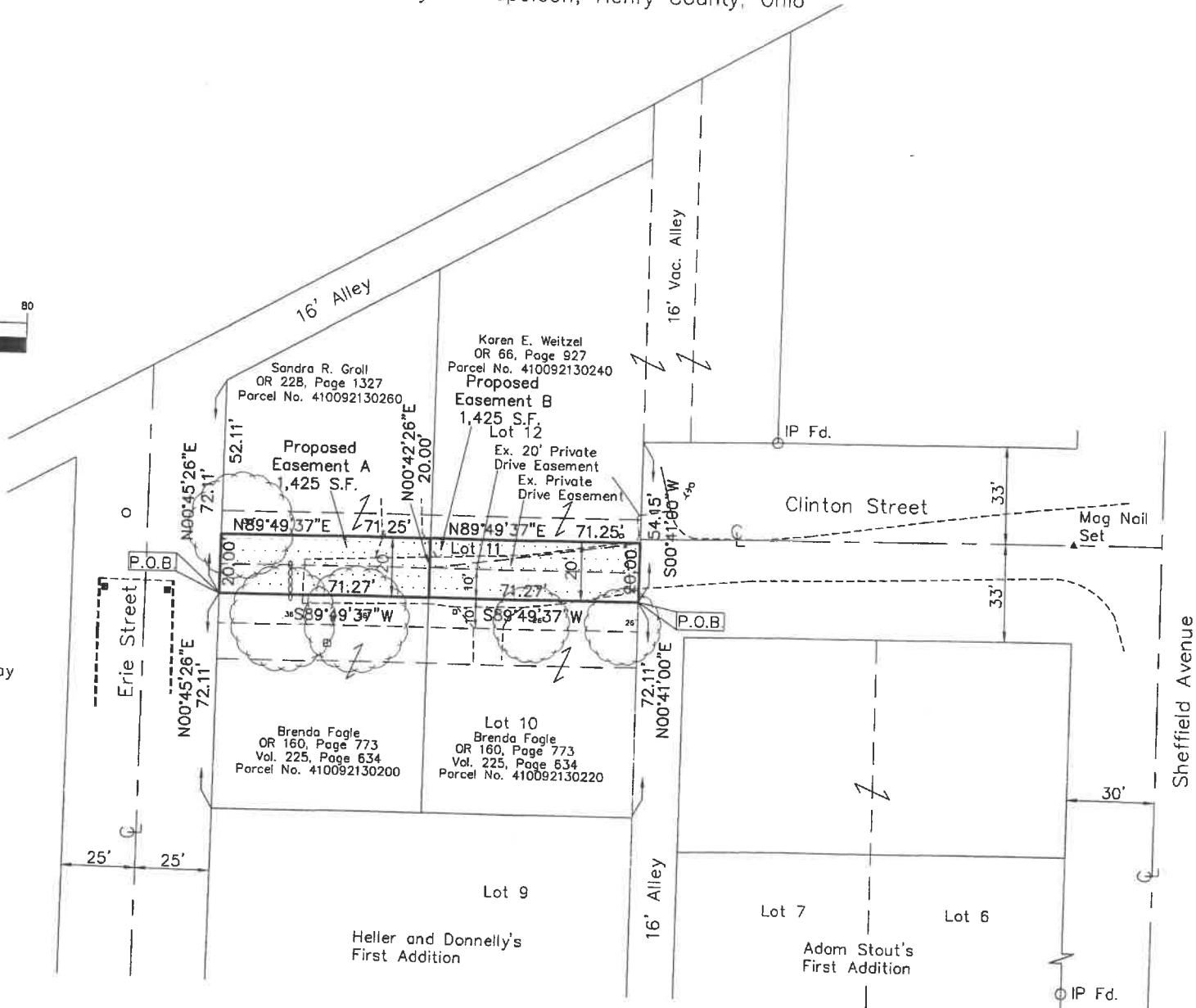
GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.



= Proposed Right of Way Easement



Note: The bearings on this plat are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

IP Set = 5/8"x30" rebar with Peterman Associates Cap.

Rev. 9-3-2009  
Date: 8-17-2009

*W. E. Nigh*  
W. E. Nigh, P.S.  
Peterman Associates  
3480 N. Main Street  
Findlay, Ohio 45840

**PETER ASSOCIATE**  
- ARCHITECTS - ENGINEERS

Corporate Office  
3480 N. Main Street  
Findlay, Ohio 45840  
Office (419) 422-6672  
Fax (419) 422-8466