
Temporary Easement For Utility Purposes

Know All Men By These Presents: that The Board of Trustees of St. Paul Lutheran Church, 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, the *Grantee*, the receipt and sufficiency of which is hereby acknowledged, do hereby **GRANT, BARGAIN, SELL, CONVEY and RELEASE** to the Grantee, its successors and assigns, a **TEMPORARY EASEMENT** with the right to enter and use the land to enable the erection, construction, installation, laying, use, operation, inspection, repair, maintenance, replacement and/or removal of sewers, water mains and all appurtenances thereto in, over, through, and across adjacent land. The easement being the following described real estate situate in the County of Henry and State of Ohio, to wit:

Situated in the City of Napoleon, County of Henry and State of Ohio, and known as:

A parcel of land located in the Northwest 1/4 of Section 14, Napoleon Township, City of Napoleon, Ohio and more particularly described as follows: Commencing at a railroad spike on the centerline of Glenwood Avenue and being the southeast corner of said Northwest 1/4 of Section 14, Napoleon Township; thence South 89°34'30" West along the south line of said Northwest 1/4 of Section 14, Napoleon Township and being the south line of the Northwood Addition to the City of Napoleon, Ohio a distance of six hundred twenty-five and zero hundredths (625.00) feet to an iron pipe; thence North 0°00'00" West along the west line of said Northwood Addition a distance of one hundred five and zero hundredths (105.00) feet to a point being the point of beginning of said temporary easement; thence continuing North 0°00'00" West along said west line of the Northwood Addition a distance of fifteen and zero hundredths (15.00) feet to a point on the south line of Lynne Avenue; thence South 89°53'36" West a distance of six hundred eighty and eight hundredths (680.08) feet to a point on the west line of the East 1/2 of said Northwest 1/4 of Section 14, Napoleon Township and being the east line of the German Mutual Subdivision; thence South 0°41'20" West along said west line of the East 1/2 of the Northwest 1/4 of Section 14, Napoleon Township a distance of fifteen and zero hundredths (15.00) feet to a point; thence North 89°53'36" East a distance of six hundred eighty and twenty-eight hundredths (680.28) feet to the point of beginning and containing 0.234 acres of land, more or less.

To Have And To Hold, said Easement, together with all rights and privileges belonging thereto unto the Grantee, its successors and assigns.

Except as herein provided, the consideration recited herein shall constitute full and final payment for all damages sustained and/or claimed by the Grantor, its heirs, executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantors' real estate, that arise from or by reason of the erection, construction, installation, laying, use, operation, inspection, repair, maintenance, replacement and/or removal of said sewers, water mains and all appurtenances thereto, including but not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential. However, the Grantee shall restore the Grantor's yards, lawns, crops, fences, tiling and sidewalks to as good condition as when entered upon by the Grantee or its agents, employees or contractors or at the Grantee's option, to pay the reasonable, direct, and known damages caused thereto.

The 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, for a period of time which shall commence the date the Construction Contract is awarded and shall be in effect through the Contract Warranty period and then terminate; regardless this easement shall terminate no later than _____.


The Grantor hereby covenants that it 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 same is free and clear from all liens and encumbrances whatsoever, except the following:

real estate taxes and assessments for the second half of the year 1996 and for the full year 1997.

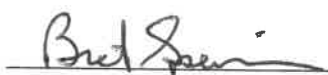
In Witness Whereof: The Board Of Trustees Of St. Paul Lutheran Church, the Grantor, has executed this TEMPORARY EASEMENT FOR UTILITY PURPOSES this 30th day of June, 1997.

Signed and acknowledged
in the presence of:

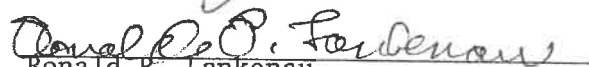
**The Board of Trustees of
St. Paul Lutheran Church**



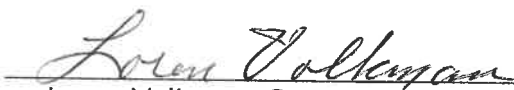
Jeffrey R. Lankenau

by: 

Brett Speiser, President



Ronald P. Lankenau

by: 

Loren Volkman, Secretary

STATE OF OHIO }
 } ss:
COUNTY OF HENRY }

Before me a Notary Public in and for said County, personally appeared The Board of Trustees of St. Paul Lutheran Church by and through Brett Speiser its President and by Loren Volkman its Secretary, the Grantor, who acknowledged that the signing of this Easement is the free act and deed of The Board of Trustees of St. Paul Lutheran Church and their free act and deed as its President and Secretary.

In Testimony Whereof, I have hereunto set my hand and seal this 30th day of June, 1997.

(seal)



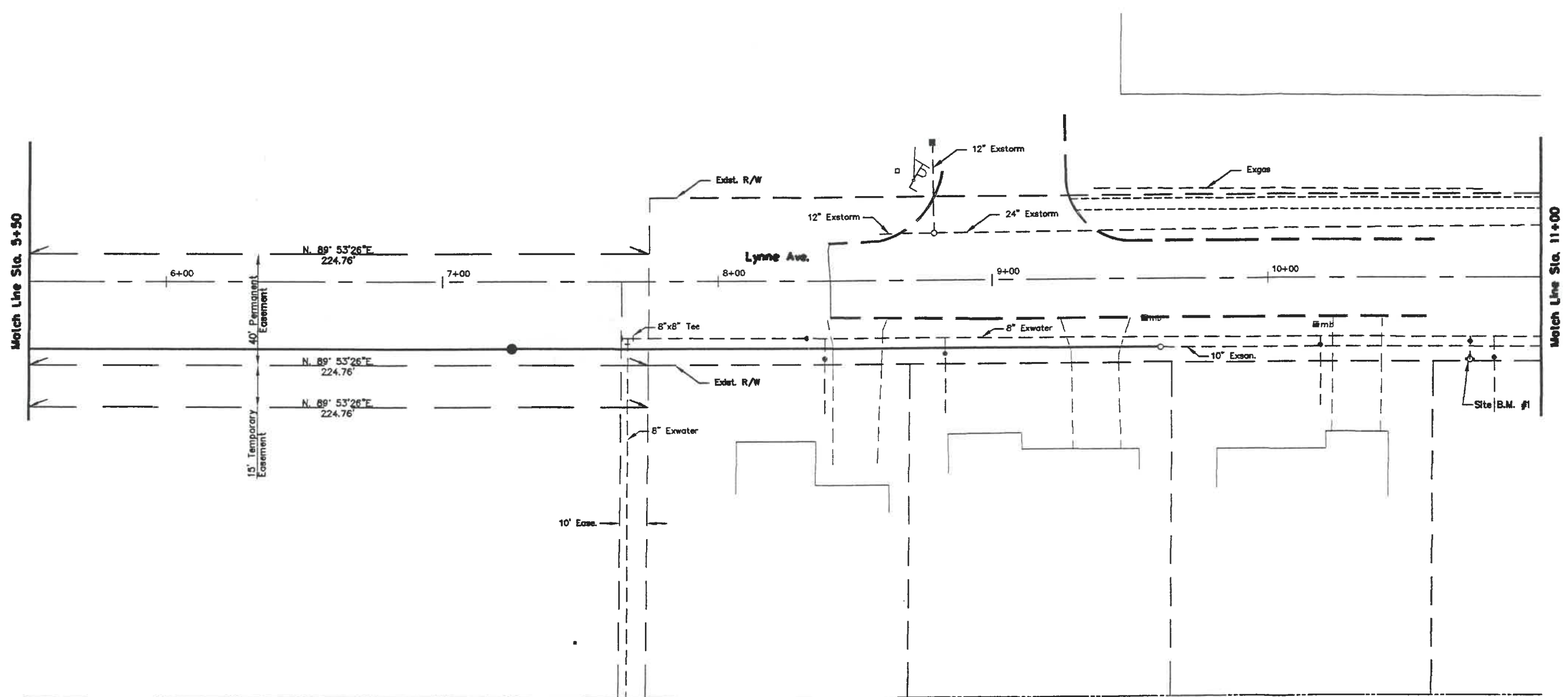
Notary Public
JEFFREY R. LANKENAU
State of Ohio
Lifetime Commission

This Instrument Prepared By:
David M. Grahn, Law Director
255 W. Riverview Avenue
P.O. Box 151
Napoleon, Ohio 43545

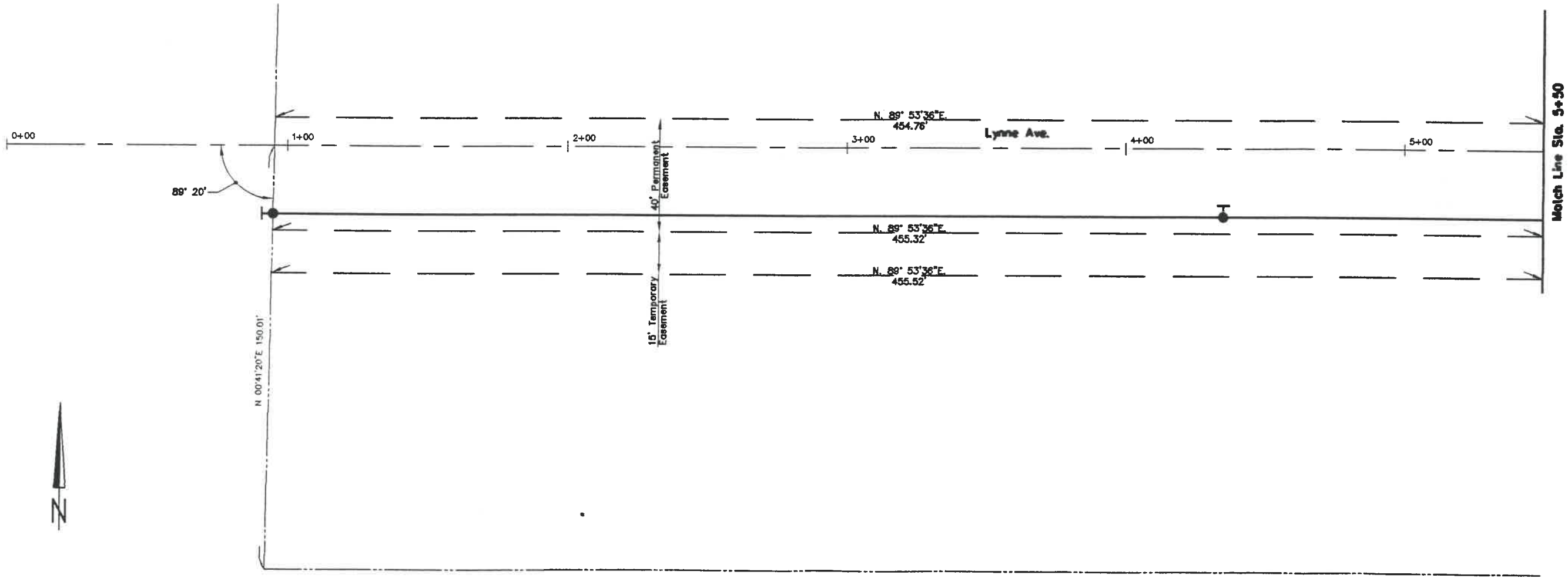
Description and required use furnished by:
City of Napoleon Engineering Department

C:\AMIPROIEASEMENTSTPAULTE.SAMJune 18, 1997

SITE BENCH MARK #1
 West Base Bolt Of Hydrant
 Sta. 10+73.59, 29.35' Rt.
 Elev.=662.36



Date:	06/19/97	Drawn By:	M.B.S.
Scale:	NTS	Approved By:	A.C.H.
Drawing Name:	11X17PPB		
Lynne Avenue Utilities Project			
Plan View			
City Of Napoleon Engineering Department 255 W. RiverView Ave., P.O. Box 151 Napoleon, Ohio 43545 Phone: (419) 592-4010 Fax: (419) 599-8393			
Plans Prepared By City Of Napoleon Engineering Department Adam C. Hoff, P.E. City Engineer			
No.	Date	Revision	Chkd. By



LYNNE AVENUE

Match Line Sta. 5+50

Date: 06/19/97	Drawn By: M.B.S.	City of Napoleon Engineering Department 255 W. RiverView Ave., P.O. Box 151 Napoleon, Ohio 43545 Phone: (419) 592-4010 Fax: (419) 599-8393	City of Napoleon Engineering Department Adam C. Hoff, P.E. City Engineer	No. Date	Revision	Chkd. By
Scale: NTS	Approved By: A.C.H.					
Drawing Name:	11X17PPA					

Permanent Easement For Utility Purposes

Know All Men By These Presents, That The Board of Trustees of St. Paul Lutheran Church, 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, the *Grantee*, the receipt and sufficiency of which is hereby acknowledged, do hereby **GRANT, BARGAIN, SELL, CONVEY and RELEASE** to the Grantee, its successors and assigns forever, a Permanent Easement with the right to erect, construct, and install and thereafter use, operate, inspect, repair, maintain, replace and remove sewers, water mains and appurtenances thereto in, over, through, and across the following described real estate situated in the County of Henry and State of Ohio, to wit:

Situated in the City of Napoleon, County of Henry and State of Ohio and known as:

A parcel of land located in the Northwest $\frac{1}{4}$ of Section 14, Napoleon Township, City of Napoleon, Ohio and more particularly described as follows: Commencing at a railroad spike on the centerline of Glenwood Avenue and being the southeast corner of said Northwest $\frac{1}{4}$ of Section 14, Napoleon Township; thence South $89^{\circ}34'30''$ West along the south line of said Northwest $\frac{1}{4}$ of Section 14, Napoleon Township and being the south line of the Northwood Addition to the City of Napoleon, Ohio a distance of six hundred twenty-five and zero hundredths (625.00) feet to an iron pipe; thence North $0^{\circ}00'00''$ West along the west line of said Northwood Addition a distance of one hundred twenty and zero hundredths (120.00) feet to a point on the south line of Lynne Avenue and being the point of beginning of said permanent easement; thence continuing North $0^{\circ}00'00''$ West along said west line of the Northwood Addition a distance of forty and zero hundredths (40.00) feet to a point; thence South $89^{\circ}53'36''$ West a distance of six hundred seventy-nine and fifty-two hundredths (679.52) feet to a point on the west line of the East $\frac{1}{2}$ of said Northwest $\frac{1}{4}$ of Section 14, Napoleon Township and being the east line of the German Mutual Subdivision; thence South $0^{\circ}41'20''$ West along said west line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 14, Napoleon Township a distance of forty and zero hundredths (40.00) feet to a point; thence North $89^{\circ}53'36''$ East a distance of six hundred eighty and eight hundredths (680.08) feet to the point of beginning and containing 0.624 acres of land, more or less.

To Have And To Hold said Easement, together with all rights and privileges belonging thereto unto the Grantee, its successors and assigns forever.

The consideration recited herein shall constitute full and final payment for all damages sustained and/or claimed by the Grantors, its 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 erection, construction, installation, laying, use, operation, inspection, repair, maintenance, replacement and/or

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, lawns, crops, fences, tiling and sidewalks to as good condition as when entered upon by the Grantee or its agents, employees or contractors or at the Grantee's option, to pay the reasonable, direct, and known damages caused thereto.

This 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 Grantor hereby covenants that it 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 same is free and clear from all liens and encumbrances whatsoever, except the following:

real estate taxes and assessments for the second half of the year 1996 and for the full year 1997.

In Witness Whereof: The Board of Trustees of St. Paul Lutheran Church, the Grantor has executed this Permanent Easement for Utility Purpose this 30th day of June, 1997.

Signed and acknowledged
in the presence of:

**The Board of Trustees of
St. Paul Lutheran Church**




Jeffrey R. Lankenau

by: 

Brett Spelser, President



Ronald P. Lankenau

by: 

Loren Volkman, Secretary

STATE OF OHIO }
 }
COUNTY OF HENRY }

ss:

Before me a Notary Public in and for said County, personally appeared The Board of Trustees of St. Paul Lutheran Church by and through Brett Speiser its President and by Loren Volkman its Secretary, the Grantor, who acknowledged that the signing of this Easement is the free act and deed of St. Paul's Lutheran Church and their free act and deed as its President and Secretary.

In Testimony Whereof, I have hereunto set my hand and seal this 30th day
of June, 1997.

(seal)

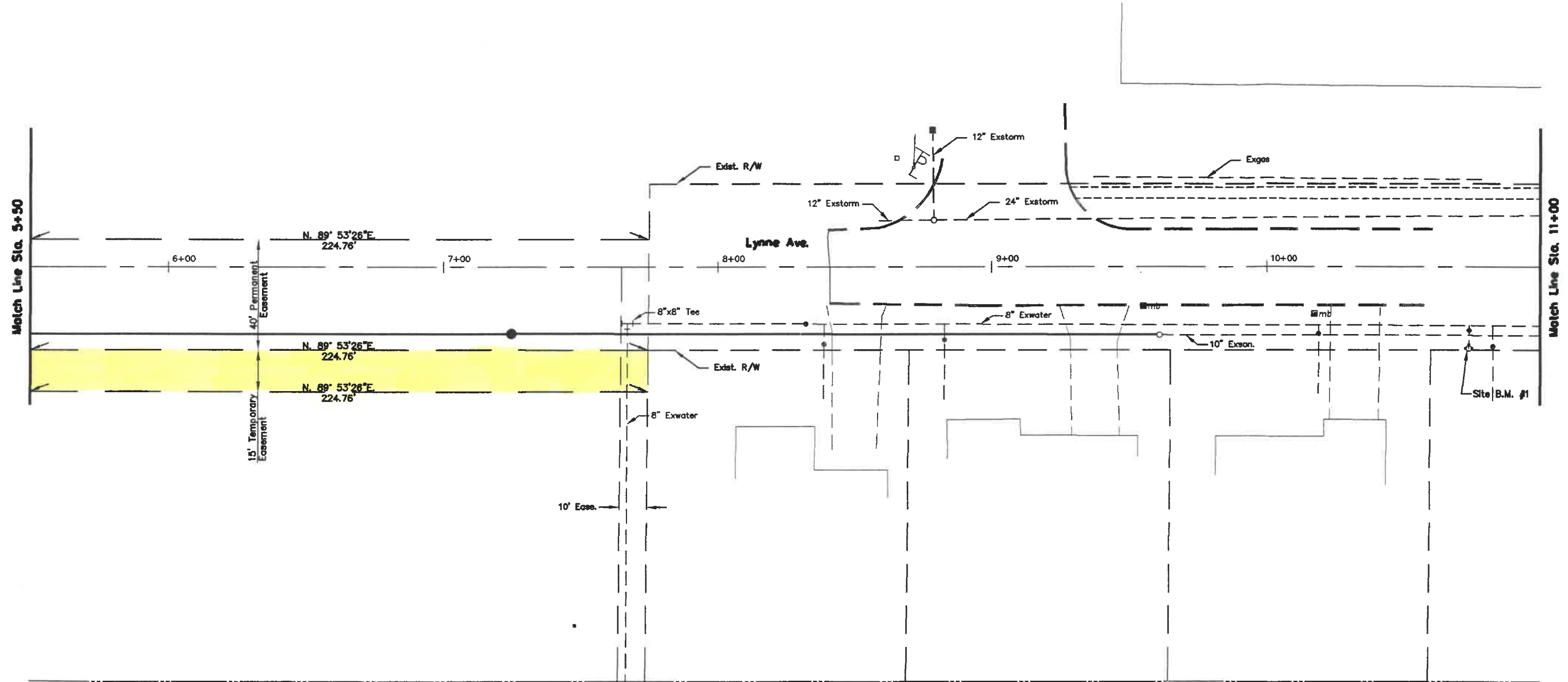


Notary Public
JEFFREY R. LANKENAU
State of Ohio
Lifetime Commission

This Instrument Prepared By:
City of Napoleon
Engineering Department

c:\lotsuite\wordpro\docs\esementstpaulpe.lwpJune 12, 1997

SITE BENCH MARK #1
 West Base Bolt Of Hydrant
 Sta. 10+73.59, 29.35' Rt.
 Elev.=682.36



No.	Date	Revision	Chkd. By

Plans Prepared By
 City Of Napoleon
 Engineering Department
Adam C. Hoff, P.E.
 City Engineer

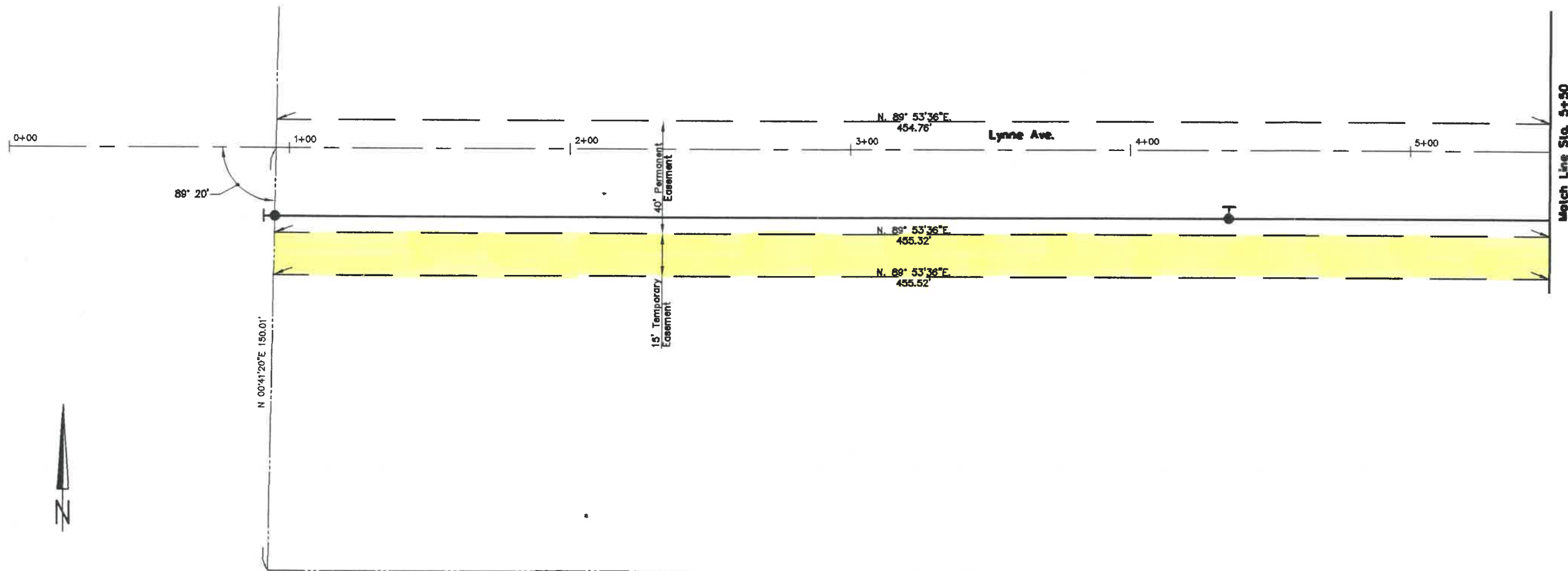


City Of Napoleon
 Engineering Department
 235 W. Riverview Ave., P.O. Box 151
 Napoleon, Ohio 43545
 Phone: (419) 592-4010
 Fax: (419) 599-8393

Lynne Avenue Utilities Project
Plan View

Date:	06/19/97	Drawn By:	M.B.S.
Scale:	NTS	Approved By:	A.C.H.
Drawing Name:	11X17PPB		

Sheet ___ Of ___



LYNNE AVENUE

Date:	06/19/97	Drawn By:	M.B.S.
Scale:	NTS	Approved By:	A.C.H.
Sheet	Of	Drawing Name:	11X17PPA
Lynne Avenue Utilities Project Plan View			
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