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200900077201  
Filed for Record in  
HENRY COUNTY OHIO  
SARA L NYLES  
11-03-2009 At 01:57 pm.  
EASEMENT 52.00  
OR Volume 247 Page 1505 - 1509

200900077201  
CITY OF NAPOLEON  
PICK-UP

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## TEMPORARY EASEMENT

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**KNOW ALL MEN BY THESE PRESENTS:** That, Sheppard W. Bost, a married man, being of legal age, whose tax mailing address is 929 W. Graceway, 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 the construction of storm sewer (drainage) improvements that are to be constructed on adjacent lands. Said easement will be used for placement and use of equipment, vehicles, material and temporary structures of contractors utilized by Grantee; moreover, for the storage and staging of material, and all other things commonly associated with construction of sewers, with further 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 229 AT PAGE 783** of the deed 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, his 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 the 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 he 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: Sheppard W. Bost this 8th day of October, 2009.

Sheppard W. Bost  
Sheppard W. Bost

STATE OF OHIO }  
                          }  
COUNTY OF HENRY }      SS:

Before me a Notary Public in and for said County, personally appeared the above named, Sheppard W. Bost, the Grantor, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 8th day of October, 2009.



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

Roxanne Dietrich  
Notary Public

Bonnie Bost has executed this Perpetual Easement this 8th day of October, 2009 releasing any dower rights she may have in the land that is the subject of this Easement; release being made exclusively for the purpose of granting this Easement.

Bonnie Bost  
Bonnie Bost

STATE OF OHIO }  
                          }  
COUNTY OF HENRY }      SS:

Before me a Notary Public in and for said County, personally appeared the above named, Bonnie Bost, spouse of 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 8th day of October, 2009.



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

Roxanne Dietrich  
Notary Public

ACCEPTED BY:

Jon A. Bisher  
Jon A. Bisher, City Manager

8 OCT 09  
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 BY:**

Feller, Finch & Associates, Inc.  
P.O. Box 68  
Maumee, Ohio 43537-0068

**EASEMENT DESCRIPTION VERIFIED BY:**

Chad Lulfs P.S. P.E., Napoleon Engineer

AUDITORS OFFICE  
TRANSFERRED

NOT NOV 03 2009

Kevin M.  
HENRY CO. AUDITOR CW

**Exhibit "A"**

April 28, 2009

10' Wide Temporary Construction Easement  
Sheppard W. Bost  
929 W. Graceway

Being a parcel of land in the City of Napoleon, Henry County, Ohio, being bounded and described as follows:


The East ten (10.00) feet of the West twenty (20.00) feet of a parcel of land as recorded in Volume 229, Page 783, Henry County Deed Records, subject to any and all leases, easements and restrictions of record. Being the same as shown on the plans for Contract No. 2008-36, West and East Graceway Drive Sewer Improvements, prepared by Feller, Finch & Associates, Inc., on file with the City of Napoleon.

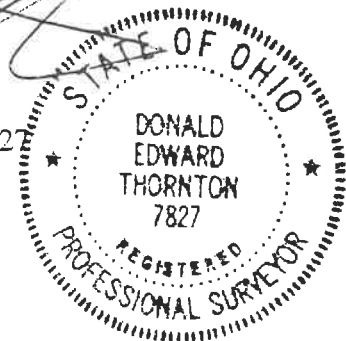
Said parcel of land recorded in Volume 229, Page 783, Henry County Deed Records being described as follows:

The South twenty-four (24) feet of lot number twenty-four (24) and lot number twenty-three (23) less and except the South forty-one (41.00) feet thereof in Richter's Third Addition to the City of Napoleon, Henry County, Ohio.

Prepared by:

FELLER, FINCH & ASSOCIATES, INC.

  
D. Edward Thornton, P. S.  
Professional Surveyor No. 7827



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**Feller,  
Finch**  
& Associates, Inc.  
Engineers • Surveyors

1683 Woodlands Drive • P.O. Box 68 • Maumee, Ohio 43537-0068

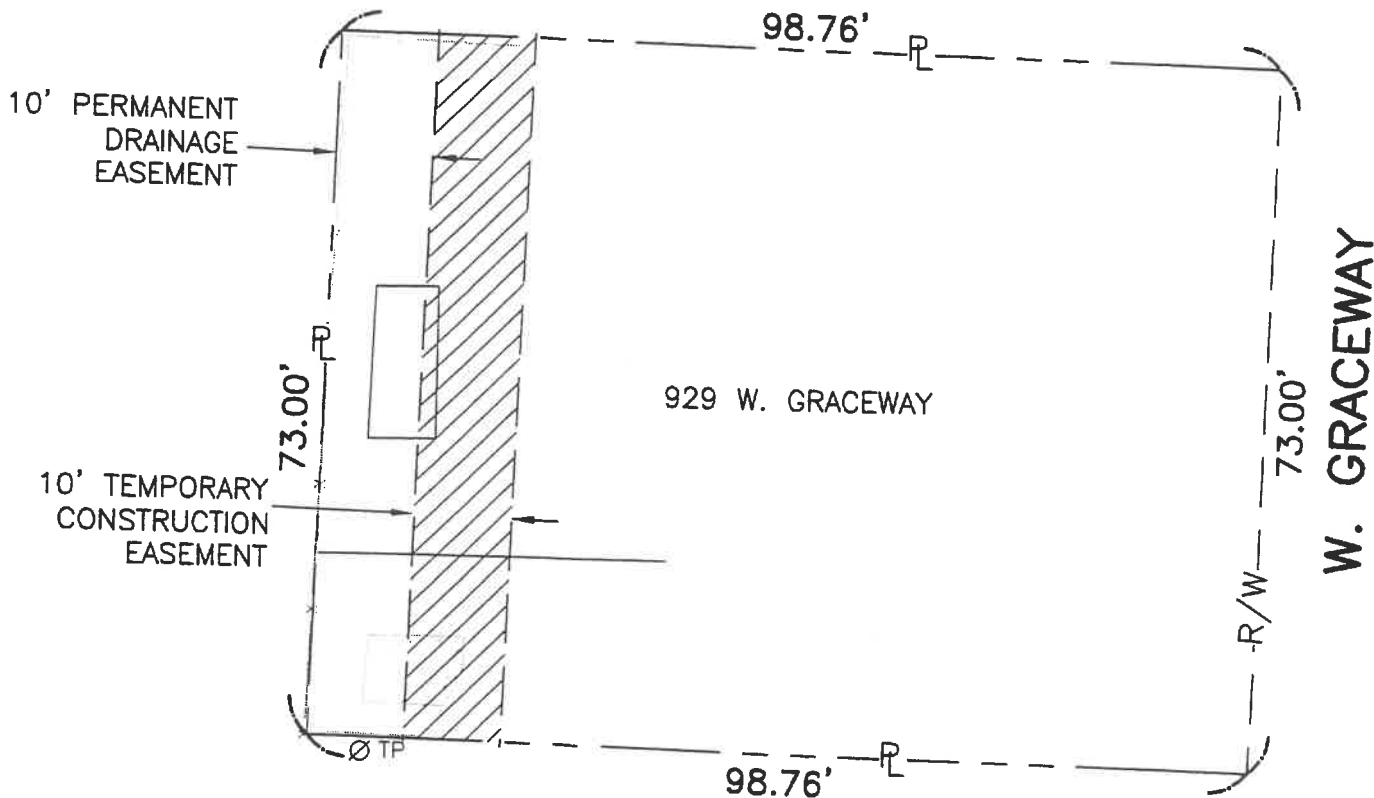
Additional office in Jackson, Michigan (419) 893-3680

Fax (419) 893-2982

www.fellerfinch.com

10' WIDE TEMPORARY CONSTRUCTION  
 EASEMENT EXHIBIT  
 929 W. GRACEWAY  
 PART OF THE SOUTH 24.0' OF LOT 24 AND LOT  
 23, EXCEPTING THE SOUTH 41.0' THERE OF, IN  
 RICHTER'S THIRD ADDITION  
 CITY OF NAPOLEON, HENRY COUNTY, OHIO

SHEPPARD W. BOST  
 OFFICIAL RECORD 229, PAGE 783  
 HENRY COUNTY, DEED RECORDS



© 2009 FELLER, FINCH & ASSOC., INC.

SCALE:	1"=20'
DATE:	4-29-09
DRAWN BY:	RGS
PROJECT NO.:	10E06292
DRAWING:	10-06292FE00A1



**Feller  
 Finch**  
 & Associates, Inc.  
 Engineers · Surveyors  
 Landscape Architects · Planners

1683 Woodlands Drive · P.O. Box 68 · Maumee, Ohio 43537

Phone: (419) 893-3680

Fax: (419) 893-2982

www.fellerfinch.com

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