

200900076837
Filed for Record in
HENRY COUNTY OHIO
SARA L NYLES
10-06-2009 At 02:44 pm.
EASEMENT 44.00
OR Volume 247 Page 17 - 20

200900076837
CITY OF NAPOLEON

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, Sally M. Armbruster; Steven L. Armbruster; and, Matthew L. Armbruster, all unmarried of legal age, "Grantors", whose tax mailing address is 494 Huddle Road, Napoleon, Ohio, 43545, 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 perpetual alienable utility Easement to lay, install, construct, reconstruct, erect, use, repair, supplement, maintain, operate, and/or remove, at any time or times hereafter, its storm sewer (drainage), being considered for the purpose of this easement, a "Utility". The aforementioned Utility for the purpose of this Easement consist of one or more pipes, metering equipment, and appurtenances, all the aforementioned being above and below ground with extensions therefrom, in, on, through, over and/or under the below described lands, with the 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 ILLUSTRATION PURPOSES ONLY.

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

The Grantors claims title to the above described property by virtue of a deed record recorded in Official Records **VOLUME 221 AT PAGE 1582** of the records of Henry County, Ohio.

Grantee will also have the right to mark the location of the strip by suitable markers set in the ground, but such markers when set in the ground will be placed in locations which will not unreasonably interfere with any reasonable use the Grantors will make of the land.

The consideration recited herein shall constitute full and final payment for said easement and all damages sustained and/or claimed by the Grantors, their 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, installation, construction, reconstruction, erection, use, operation, maintenance, supplementation, removal or inspection of said Utility 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, Grantee agrees to restore the grounds by seeding and leveling. The Easement and right-of-way hereby granted includes the perpetual right to cut, trim, and/or

Exhibit "A"

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April 28, 2009

4.5' Wide Permanent Drainage Easement
Steven L. Armbruster and Matthew L. Armbruster
494 Huddle

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


The West four and fifty hundredths (4.50) feet of a parcel of land as described in Official Record 221, Page 1582, 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.

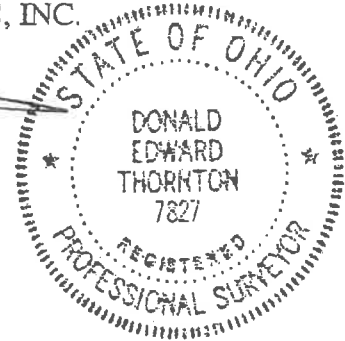
Said parcel of land recorded in Official Record 221, Page 1582, Henry County Deed Records being described as follows:

The East seventy-two (72.00) feet of Lot Twenty (20) of N. H. Hartman's Subdivision of J. G. Lowe's Addition to the City of Napoleon, Henry County, Ohio.

Prepared by:

FELLER, FINCH & ASSOCIATES, INC.

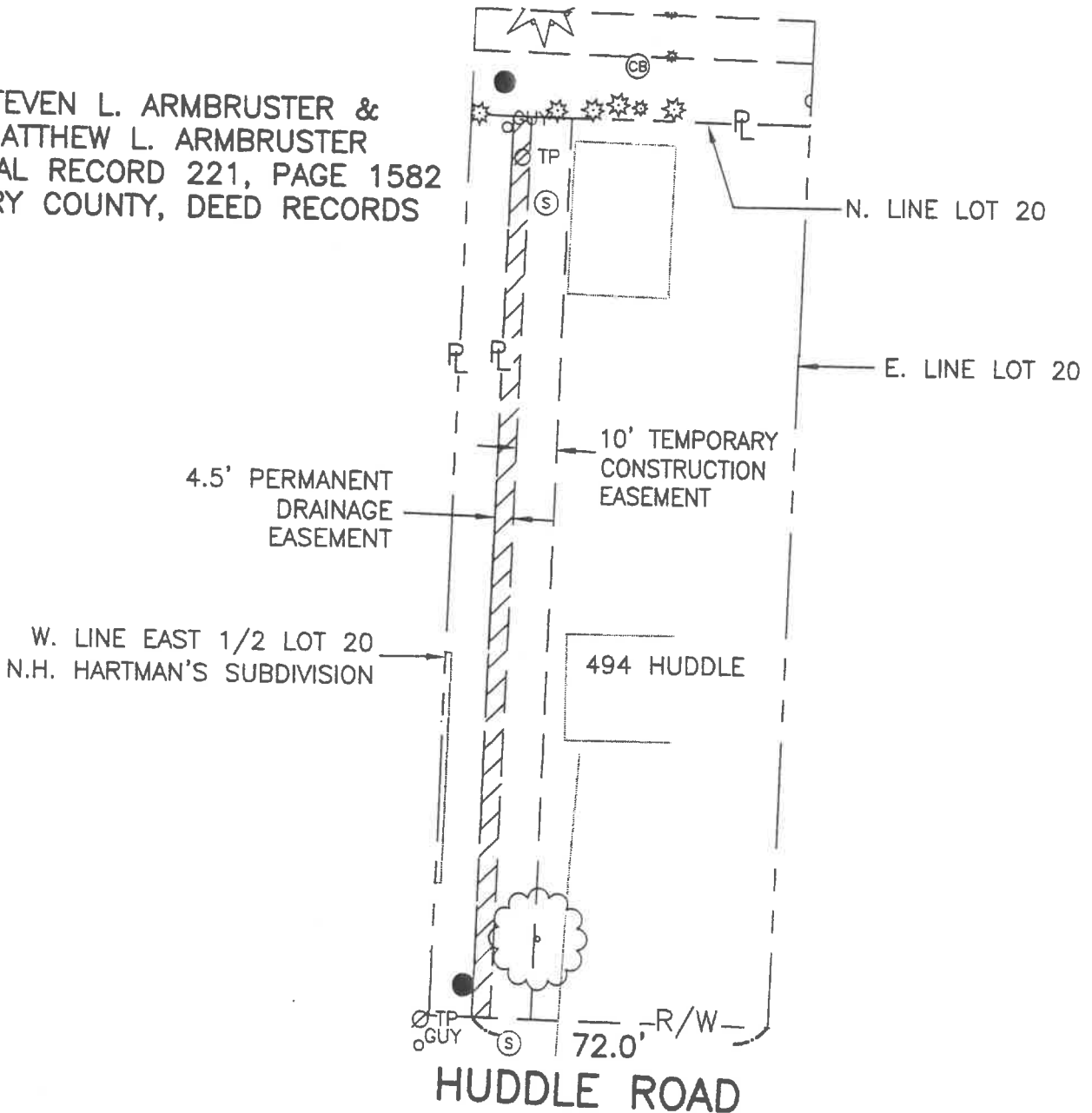

D. Edward Thornton, P. S.
Professional Surveyor No. 7827



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4.5' WIDE PERMANENT DRAINAGE EASEMENT EXHIBIT PART OF LOT 20 N.H. HARTMAN'S SUBDIVISION 494 HUDDLE ROAD CITY OF NAPOLEON, HENRY COUNTY, OHIO

STEVEN L. ARMBRUSTER &
MATTHEW L. ARMBRUSTER
OFFICIAL RECORD 221, PAGE 1582
HENRY COUNTY, DEED RECORDS



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SCALE:	1"=40'
DATE:	4-29-09
DRAWN BY:	RGS
PROJECT NO.:	10E06292
DRAWING:	10-06292FE00A1



NORTH

**Feller
Finch**

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Landscape Architects · Planners

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