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200900077208
Filed for Record in
HENRY COUNTY OHIO
SARA L MYLES
11-03-2009 At 01:57 pm.
EASEMENT 44.00
OR Volume 247 Page 1535 - 1538

AUDITORS OFFICE
NOT TRANSFERRED
NOV 03 2009

Kevin M.
HENRY CO. AUDITOR

200900077208
CITY OF NAPOLEON
PICK-UP

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, Maumee Trailer Park, a Partnership, "Grantor", whose tax mailing address is 538 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 drainage 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 Grantor claims title to the above described property by virtue of a deed record recorded in Official Records **VOLUME 228 AT PAGE 75** 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 Grantor 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 Grantor, its 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

otherwise control any trees and/or brush which may endanger the safety of or interfere with the construction and use of said Utility(s) without claim of damage to the trees or brush by the Grantor.

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 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; that the same is free and clear from all liens and encumbrances whatsoever and that the Grantor will warrant and defend the title to the said easement against all lawful claims.

EXECUTED BY: Maumee Trailer Park, a Partnership, Grantor, by and through its Partner(s) this 14 day of Oct, 2009. Joseph Goddell, Partner

STATE OF OHIO }
COUNTY OF HENRY } ss:

Before me a Notary Public in and for said County, personally appeared the above named, Joseph Goddell, Partner(s) of Maumee Trailer Park, the Grantor, who acknowledged he/she/they did sign the foregoing instrument and that the same is his/her/their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 14th day of Oct., 2009.

(Seal)



SHERYL K. RATHGE Notary Public, State of Ohio, Henry County, Commission Expires October 15, 2011. Sheryl K. Rathge

ACCEPTED BY:

Dr. Jon A. Bisher, City Manager

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

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

Exhibit "A"

April 28, 2009

15' WIDE PERMANENT DRAINAGE EASEMENT
MAUMEE TRAILER PARK, A PARTNERSHIP
538 HUDDLE ROAD

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

The South fifteen (15.00) feet of the East eight-seven and fifty hundredths (87.50) feet of a parcel of land as recorded in Official Record 228, Page 75, 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 228, Page 75, Henry County Deed Records being described as follows:

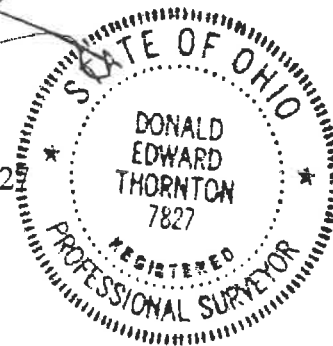
Lot Twenty-One (21) in N. H. Hartman's subdivision of Outlots nine (9) and ten (10) in J. G. Lowe's Addition to the City of Napoleon, Henry County, Ohio.

Prepared by:

FELLER, FINCH & ASSOCIATES, INC.



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



15' WIDE PERMANENT DRAINAGE
 EASEMENT EXHIBIT
 580 HUDDLE ROAD
 PART OF LOT 21 IN
 N. H. HARTMAN'S SUBDIVISION
 CITY OF NAPOLEON, HENRY COUNTY, OHIO

MAUMEE TRAILER PARK
 OFFICIAL RECORD 228, PAGE 75
 HENRY COUNTY, DEED RECORDS

580 HUDDLE RD.

MOSER DR.

E. LINE LOT 21

15' PERMANENT
 DRAINAGE
 EASEMENT

87.50'

-R/W

S. LINE LOT 21

ST

S

TP

GUY

CB

HUDDLE ROAD

© 2009 FELLER, FINCH & ASSOC., INC.

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



NORTH

**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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