
TEMPORARY EASEMENT FOR UTILITY PURPOSES

Know All Men By These Presents: That Lydia I. Coressel, the now unmarried, surviving spouse of Nelson M. Coressel and Trustee of the Nelson M. Coressel Loving Trust, whose tax mailing address is 1452 Ohio 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, 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, a Temporary Easement with the right to enter and use the below described land to enable the erection, construction, and installation of a sanitary sewer system, and all appurtenances thereto, in, over, through, and across adjacent property(s). The following described real estate that is the subject of this temporary easement is situated in the City of Napoleon, County of Henry and State of Ohio, to wit:

Part of the Grantor's parcel recorded in Deed/Official Records **Volume 244, Page 852** and being part of Lots 16 and 17 of Bockelman's 3rd Addition, City of Napoleon, Napoleon Township, Henry County, Ohio, and being more particularly described as follows:

Commencing at a point being the intersection of the northerly right-of-way of Ohio Street and the easterly right-of-way of Glenwood Avenue; thence, easterly along said northerly right-of-way of Ohio Street, a distance of one hundred, eighty-four and seventy-seven hundredths (184.77) feet to a point being the southeasterly corner of said Lot 17; thence, continuing easterly along said northerly right-of-way of Ohio Street, a distance of sixty-eight and twenty-seven (68.27) feet to a point being the southwesterly corner of the Grantor's parcel; thence, northerly and parallel to said easterly right-of-way of Glenwood Avenue, a distance of ninety-five and zero hundredths (95.00) feet to the POINT OF BEGINNING; thence, easterly and parallel to said northerly right-of-way of Ohio Street, a distance of seventy-eight twenty-seven hundredths (78.27) feet to a point; thence, northerly and parallel to said easterly right-of-way of Glenwood Avenue, a distance of five and zero hundredths (5.00) feet to a point on the southerly line of an existing utility strip being the northerly five (5) feet of said Lots 16 and 17; thence, westerly along said southerly line of the utility strip and parallel to said northerly right-of-way of Ohio Street, a distance of seventy-eight and twenty-seven hundredths (78.27) feet to a point; thence, southerly and parallel to said easterly right-of-way of Glenwood Avenue, a distance of five and zero hundredths (5.00) feet to the POINT OF BEGINNING and containing 391.35 square feet (0.009 acres) of land, more or less.

The consideration recited herein shall constitute full and final payment for said easement and 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 Grantor's 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 sanitary sewer system, 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, 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, except that this restoration provision shall not be applicable to tile and sidewalks where the same are part of an assessed project.

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 for a period of time which shall commence the date of the execution of this Temporary Easement and shall be in effect through the contract warranty period for the Ohio Street Sanitary Sewer Improvement Project and then terminate. **Regardless, this easement shall terminate no later than January 1, 2003.**

The Grantor hereby covenants that the Nelson M. Coressel Loving Trust 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: _____

IN WITNESS WHEREOF: Lydia I. Coressel, the now unmarried, surviving souse of Nelson M. Coressel and Trustee of the Nelson M. Coressel Loving Trust, the Grantor, has executed this Temporary Easement for Utility Purposes this 9th day of March, 2000.

200000008553
CITY OF NAPOLEON
PICK UP 592-3503

Signed and acknowledged in the presence of:

Alan Hoff
Darel Austermler

Lydia I. Coressel Trustee
Lydia I. Coressel, Trustee of the Nelson M. Coressel Loving Trust, dated February 13, 1991

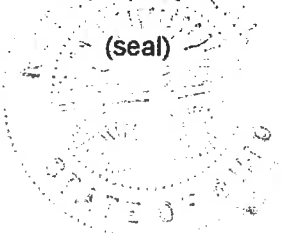
STATE OF OHIO
COUNTY OF HENRY

ss:

200000008553
Filed for Record in
HENRY COUNTY OHIO
ARLENE A WALLACE
On 03-14-2000 At 09:39 am.
EASEMENT 18.00
OR Volume 66 Page 1070 - 1072

Before me a Notary Public in and for said County, personally appeared the above named Lydia I. Coressel, the now unmarried, surviving spouse of Nelson M. Coressel and Trustee of the Nelson M. Coressel Loving Trust, 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 9th day of MARCH, 2000



Darel Austermler
Notary Public
DAREL AUSTERMILLER
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES: 10/31/01

Accepted by:

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

10 MAR 00
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
and Verified By:
Adam C. Hoff, P.E. - City Engineer***

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