



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: June 27, 2013

Initiated By: Paul A. Hammersmith, P.E., Director of Engineering/City Engineer
Barbara Cox, P.E., Engineering Manager - Development

Re: Ordinance 62-13 - Authorizing the City Manager to Accept the Dedication of 2.71 Acres, more or less, and 0.03 Acre, more or less, Fee Simple Interests for Water Line Easements from Whittingham Capital, LLC, and a 0.26 Acre, more or less, Fee Simple Interest for a Water Line Easement from Clearview Dublin, LLC, Located South of Tuller Road and East of Village Parkway, City of Dublin, County of Franklin, State of Ohio and Declaring an Emergency.

Summary

Whittingham Capital, LLC (owned by Stavroff Interests, Ltd.) has requested to proceed with the installation of the public water system infrastructure at the Dublin Village Center project. Since the Final Plat has not been reviewed or recorded, easements to the City of Dublin that dedicates access to the infrastructure must be recorded. These easements will be vacated when the public rights-of-way are dedicated with the Final Plat of the roadways. The proposed easements cover all the proposed public water lines in this initial phase of the redevelopment of the shopping center.

Whittingham Capital, LLC/Stavroff Interests, Ltd. will coordinate obtaining the necessary signatures for the easement from the adjacent property owner, Clearview Dublin, LLC.

Staff is in the process of reviewing the construction drawings for the water lines. The developer's engineer has also submitted the drawings to the City of Columbus Division of Water for their concurrent review. Since they perform the maintenance of our water lines, Columbus will require a copy of the recorded easement before they will approve the drawings.

The developer's proposed schedule is to begin construction of these water lines in July. Therefore, this easement needs to be recorded in early July.

Recommendation

In order to support the redevelopment of the Dublin Village Center, staff recommends Council dispense with the public hearing and adopt Ordinance 62-13 by emergency on July 1.

RECORD OF ORDINANCES

62-13

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE DEDICATION OF 2.71 ACRE, MORE OR LESS, AND 0.03 ACRE, MORE OR LESS, FEE SIMPLE INTERESTS FOR WATER LINE EASEMENTS FROM WHITTINGHAM CAPITAL, LLC, AND A 0.26 ACRE MORE OR LESS, FEE SIMPLE INTEREST FOR A WATER LINE EASEMENT FROM CLEARVIEW DUBLIN, LLC, LOCATED SOUTH OF TULLER ROAD AND EAST OF VILLAGE PARKWAY, CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the dedication of these waterline easements allow the construction of public waterlines on private property to serve future development; and

WHEREAS, Whittingham Capital, LLC and Clearview Dublin, LLC agreed to dedicate the necessary easements; and

WHEREAS, the easement interests are described and depicted in the attached Exhibits "A" and "B" and "C"; and

WHEREAS, this ordinance authorizes the City Manager to accept the dedication of the waterline easement from Whittingham Capital, LLC and Clearview Dublin, LLC.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to accept the dedication and/or donation of waterline easements in the same or substantially similar form as depicted in the attached Exhibits from Whittingham Capital, LLC and Clearview Dublin, LLC.

Section 2. This ordinance is hereby declared to be an emergency necessary for the immediate preservation of the public health, safety and welfare. The acquisition of the property interests described herein is necessary to ensure that the construction of public improvements vital to the development of the Bridge Street District remain on the scheduled timeline. As such, this ordinance shall go into immediate effect upon passage.

Passed this _____ day of _____, 2013.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

DEED OF EASEMENT
(Waterline Easement)

Whittingham Capital, LLC, an Ohio limited liability company ("Grantor"), whose mailing address is _____, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, does grant to the City of Dublin, Ohio, an Ohio municipal corporation ("Grantee"), whose mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017, its successors and assigns forever, a non-exclusive easement in, under, across and through the real property described on Exhibit "A" and depicted on Exhibit "B", each of which is incorporated into this Deed of Easement (the "Easement Area"), for the purposes of installing, constructing, accessing, replacing, repairing, maintaining and operating an underground waterline, together with stubs and fire hydrants appurtenant thereto.

Grantee has the right to install, construct, access, replace, repair, maintain and operate an underground waterline, together with the stubs and fire hydrants appurtenant thereto, within the Easement Area at its expense. Grantee has the right to remove any vegetation located within the Easement Area, provided such removal is reasonably necessary for Grantee's use of the Easement Area as permitted by this Deed of Easement. Grantee shall restore the ground disturbed in the course of such work as nearly as reasonably practicable to the condition which existed immediately prior to Grantee's entry onto the Easement Area within a reasonable time frame thereafter; provided, however, in no event will Grantee be responsible for the costs to replace any trees or vegetation located within the Easement Area. Grantee has the right of ingress and egress across Grantor's property as is reasonably necessary to access the Easement Area.

Grantor may use the Easement Area for all purposes not inconsistent with Grantee's enjoyment of the easement granted by this Deed of Easement; however, Grantor shall not construct nor permit the construction of any permanent buildings on or within the Easement Area.

Grantor covenants with Grantee that it is the true and lawful owner of the above-described real property. This easement is granted subject to all public rights-of-way, easements and other matters of record.

Grantor and Grantee understand and agree that all terms and conditions contained in this Deed of Easement shall be effective and binding upon the parties hereto and their respective successors and assigns.

This Deed of Easement shall be construed in accordance with the laws of the State of Ohio.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, Grantor and Grantee have caused this Deed of Easement to be executed this _____ day of _____, 2013.

GRANTOR:
Whittingham Capital, LLC,
an Ohio limited liability company

GRANTEE:
City of Dublin, Ohio,
an Ohio municipal corporation

By: _____
Its: _____
Print Name: _____

By: _____
Marsha Grigsby, City Manager

STATE OF OHIO :
: ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by _____ the _____ of Whittingham Capital, LLC, an Ohio limited liability company, for and on behalf of such limited liability company.

Notary Public

STATE OF OHIO :
: ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by Marsha Grigsby, the City Manager of the City of Dublin, Ohio, an Ohio municipal corporation, for and on behalf of such municipal corporation.

Notary Public

**WATER LINE EASEMENT
2.710 ACRES**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township 2, Range 16, United States Military Lands, being across those 13.545, 1.502, 8.381, 10.917 and 0.931 acre tracts conveyed to Whittingham Capital LLC by deeds of record in Instrument Number 200911090161708, Instrument Number 201009140119604, and Instrument Number 201304010053357 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference at a northwesterly corner of that 7.467 acre tract conveyed to Clearview Dublin LLC by deed of record in Instrument Number 201009140119604, at a northeasterly corner of said 13.545 acre tract, being the southerly right-of-way line of Tuller Road of record in Plat Book 65, Pages 27 and 28;

thence North 87° 18' 39" West, with said southerly right-of-way line, a distance of 144.17 feet to the TRUE POINT OF BEGINNING;

thence South 02°41'21" West, across said 13.545 acre tract, a distance of 685.58 feet to a point;

thence South 87°18'39" East, continuing across said 13.535 acre tract, a distance of 248.00 feet to a point in the westerly line of said 7.467 acre tract;

thence South 02°41'21" West, with said westerly line, a distance of 40.00 feet to a point;

thence across said Whittingham Capital tracts, the following courses and distances:

North 87°18'39" West, a distance of 248.00 feet to a point;

South 02°41'21" West, a distance of 57.68 feet to a point;

South 25°11'21" West, a distance of 49.65 feet to a point;

South 02°41'21" West, a distance of 335.93 feet to a point;

South 42°18'39" East, a distance of 17.33 feet to a point;

South 47°41'21" West, a distance of 40.00 feet to a point;

North 42°18'39" West, a distance of 33.90 feet to a point;

North 02°41'21" East, a distance of 38.12 feet to a point;

North 87°18'39" West, a distance of 368.94 feet to a point on the arc of a curve;

with the arc of a curve to the left, having a central angle of 47°17'34", a radius of 236.00 feet, an arc length of 194.80 feet, a chord bearing and distance of South 69°02'34" West, 189.31 feet to a point; and

South 45°23'47" West, a distance of 6.53 feet to a point in the easterly right-of-way line of Federated Boulevard (nka Village Parkway) of record in Plat Book 65, Pages 27 and 28;

thence North 44°36'13" West, with said easterly right-of-way line, a distance of 40.00 feet to a point;

thence across said Whittingham Capital tracts, the following courses and distances:

North 45°23'47" East, a distance of 6.53 feet to a point of curvature to the right;

with the arc of a curve to the right, having a central angle of 47°17'34", a radius of 276.00 feet, an arc length of 227.81 feet, a chord bearing and distance of North 69°02'34" East, 221.40 feet to a point;

South 87°18'39" East, a distance of 368.94 feet to a point;

North 02°41'21" East, a distance of 282.34 feet to a point;

**WATER LINE EASEMENT
2.710 ACRES**

-2-

North 25°11'21" East, a distance of 49.65 feet to a point;

North 02°41'21" East, a distance of 49.72 feet to a point;

North 87°18'39" West, a distance of 110.79 feet to a point;

South 88°16'39" West, a distance of 39.00 feet to a point;

North 87°18'39" West, a distance of 311.05 feet to a point

North 42°18'39" West, a distance of 28.84 feet to a point of curvature to the right;

with the arc of a curve to the right, having a central angle of 14°38'13", a radius of 276.00 feet, an arc length of 70.51 feet, a chord bearing and distance of North 59°32'32" West, 70.32 feet to a point of reverse curvature;

with the arc of a curve to the left, having a central angle of 35°05'14", a radius of 224.00 feet, an arc length of 137.17 feet, a chord bearing and distance of North 69°46'03" West, 135.04 feet to a point; and

North 87°18'39" West, a distance of 217.40 feet to a point in the easterly right-of-way line of said Federated Boulevard (nka Village Parkway);

thence North 02°36'10" East, with said easterly right-of-way line, a distance of 40.00 feet to a point;

thence across said Whittingham Capital tracts, the following courses and distances:

South 87°18'39" East, a distance of 217.46 feet to a point of curvature to the right;

with the arc of a curve to the right, having a central angle of 35°05'14", a radius of 264.00 feet, an arc length of 161.67 feet, a chord bearing and distance of South 69°46'03" East, 159.16 feet to a point of reverse curvature;

with the arc of a curve to the left, having a central angle of 16°40'16", a radius of 236.00 feet, an arc length of 68.67 feet, a chord bearing and distance of South 60°33'34" East, 68.43 feet to a point;

South 42°18'39" East, a distance of 21.33 feet to a point

South 87°18'39" East, a distance of 292.94 feet to a point;

North 88°16'39" East, a distance of 39.00 feet to a point;

South 87°18'39" East, a distance of 112.33 feet to a point; and

North 02°41'21" East, a distance of 685.58 feet to a point in the southerly right-of-way line of said Tuller Road;

thence South 87°18'39" East, with said southerly right-of-way line, a distance of 40.00 feet the TRUE POINT OF BEGINNING, and containing 2.710 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller
Registered Surveyor No. 8250





Evans, Mechwart, Hamilton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 1820 New Albany Road, Columbus, OH 43054
 Phone: 614.771.6500 Fax: 614.771.3444
 emht.com

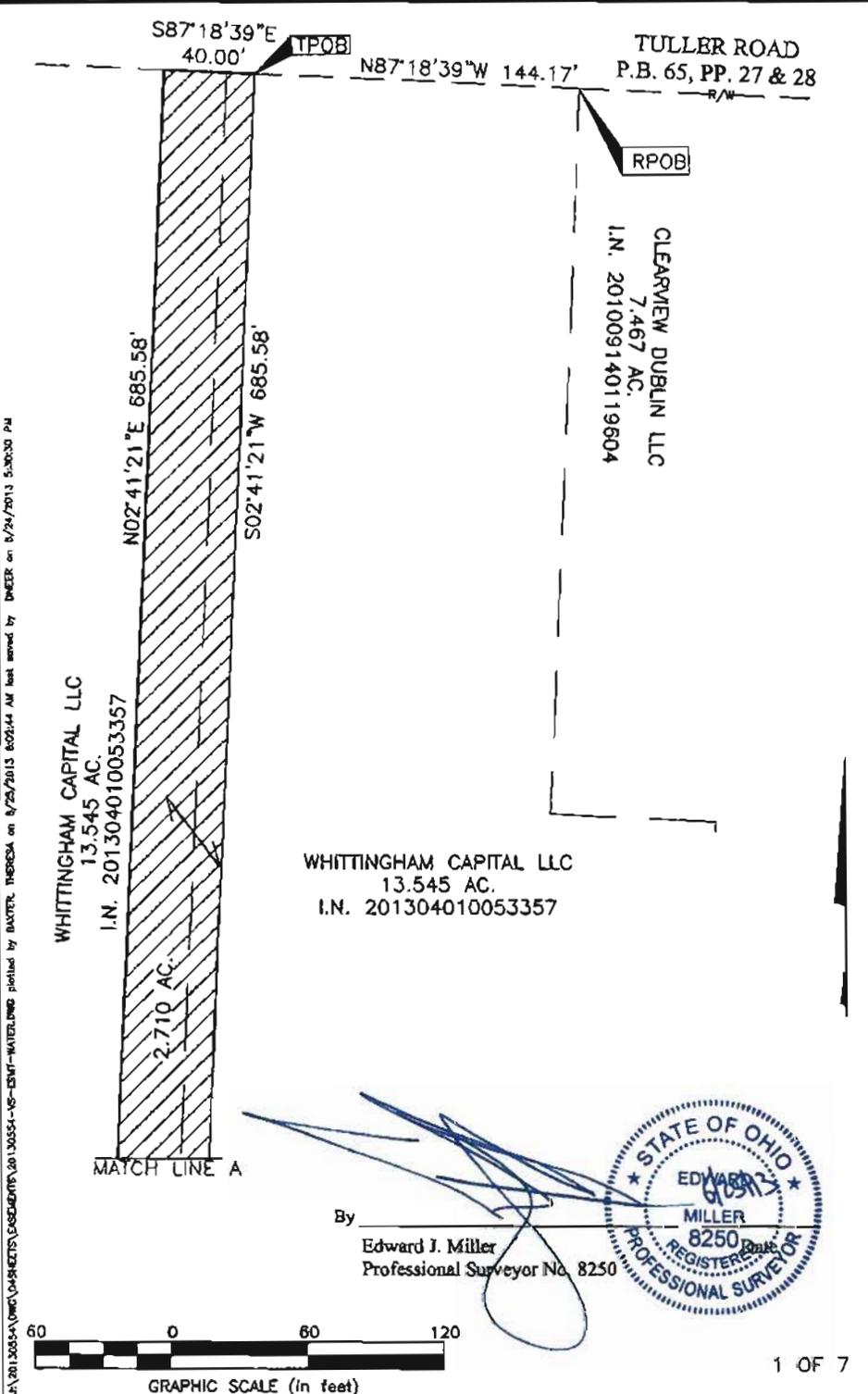
WATER LINE EASEMENT

QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 17, 2013

Job No. 2013-0554

Scale: 1" = 60'



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By _____
 Edward J. Miller
 Professional Surveyor No. 8250





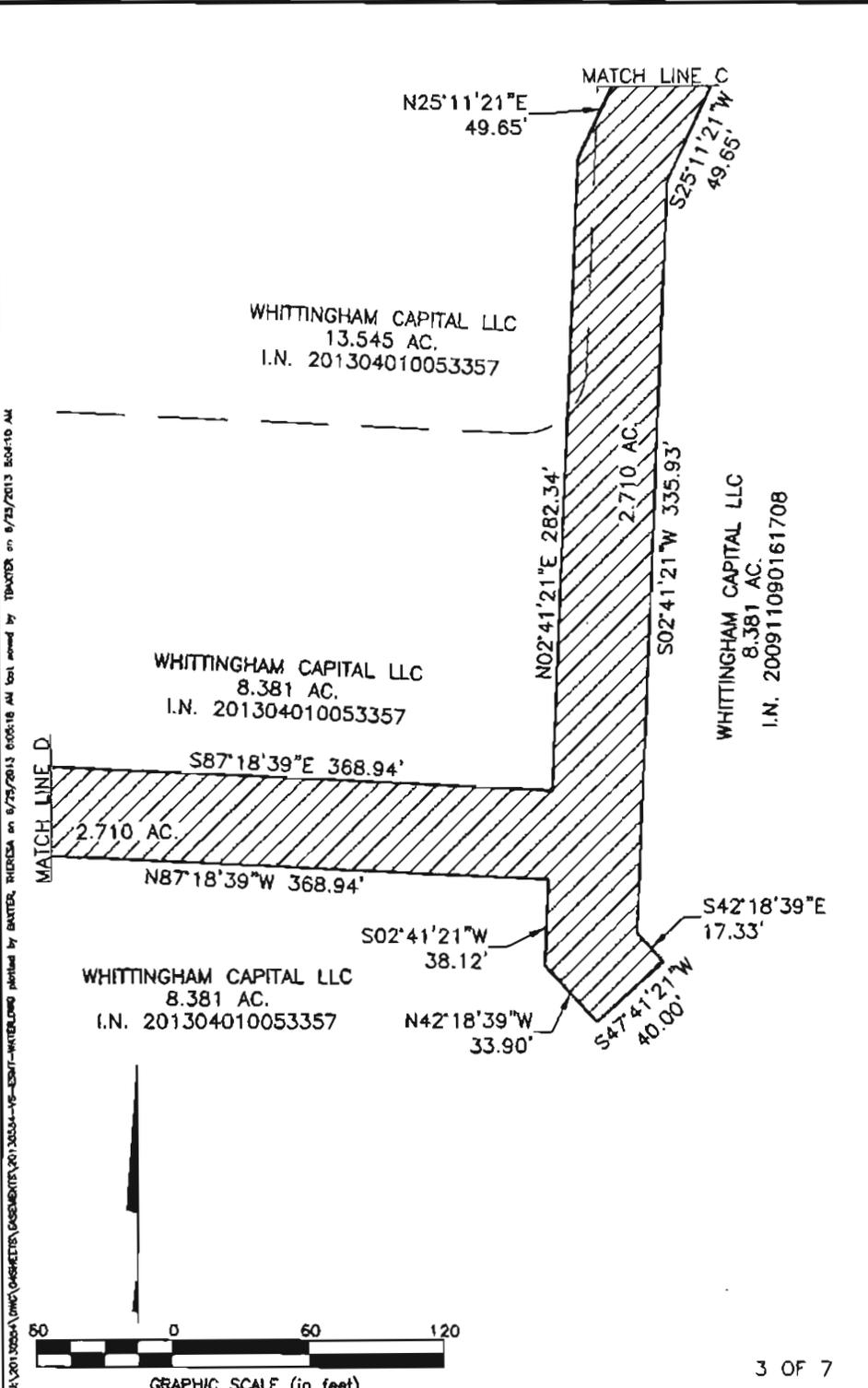
Evans, Machwort, Worsham & Tilton, Inc.
 Engineers - Surveyors - Planners - Scientists
 3350 New Albany Road, Columbus, OH 43264
 Phone: 614.773.0500 Fax: 614.773.5644
 emht.com

WATER LINE EASEMENT
 QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 17, 2013

Job No. 2013-0554

Scale: 1" = 60'



1412013000-1 (DWG) CASHEIERS EASEMENTS (20130334-VE-0304-MKTELWD) plotted by BANTER, RICHKA on 6/17/2013 09:05:18 AM last saved by BANTER on 6/17/2013 09:06:10 AM



Evans, Meacham, Hamilton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
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 Phone: 614.775.4500 Fax: 608.775.5648
 emht.com

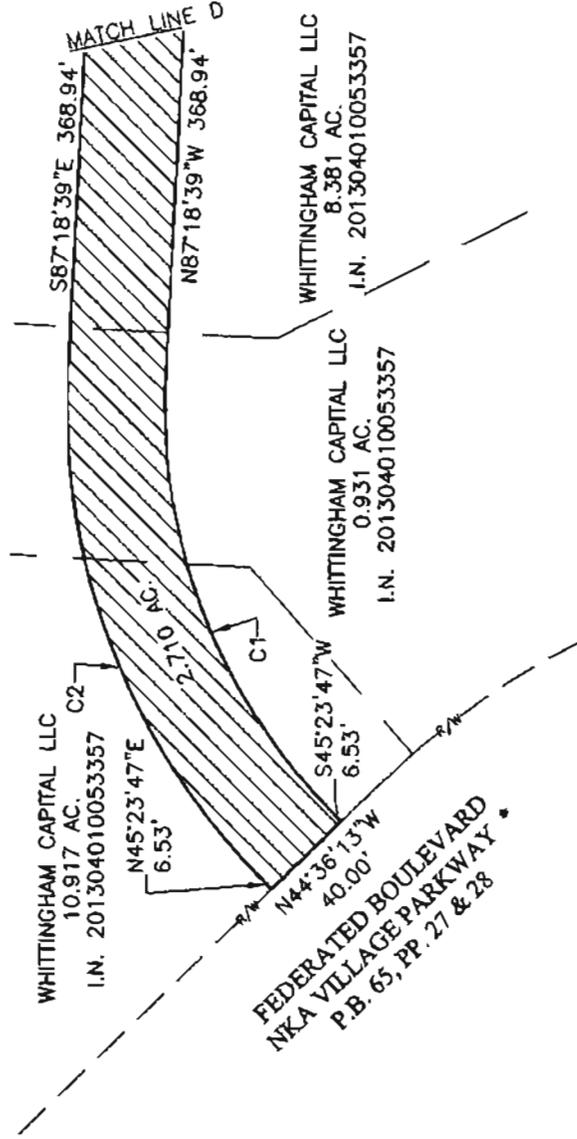
WATER LINE EASEMENT

QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 17, 2013

Scale: 1" = 60'

Job No. 2013-0554

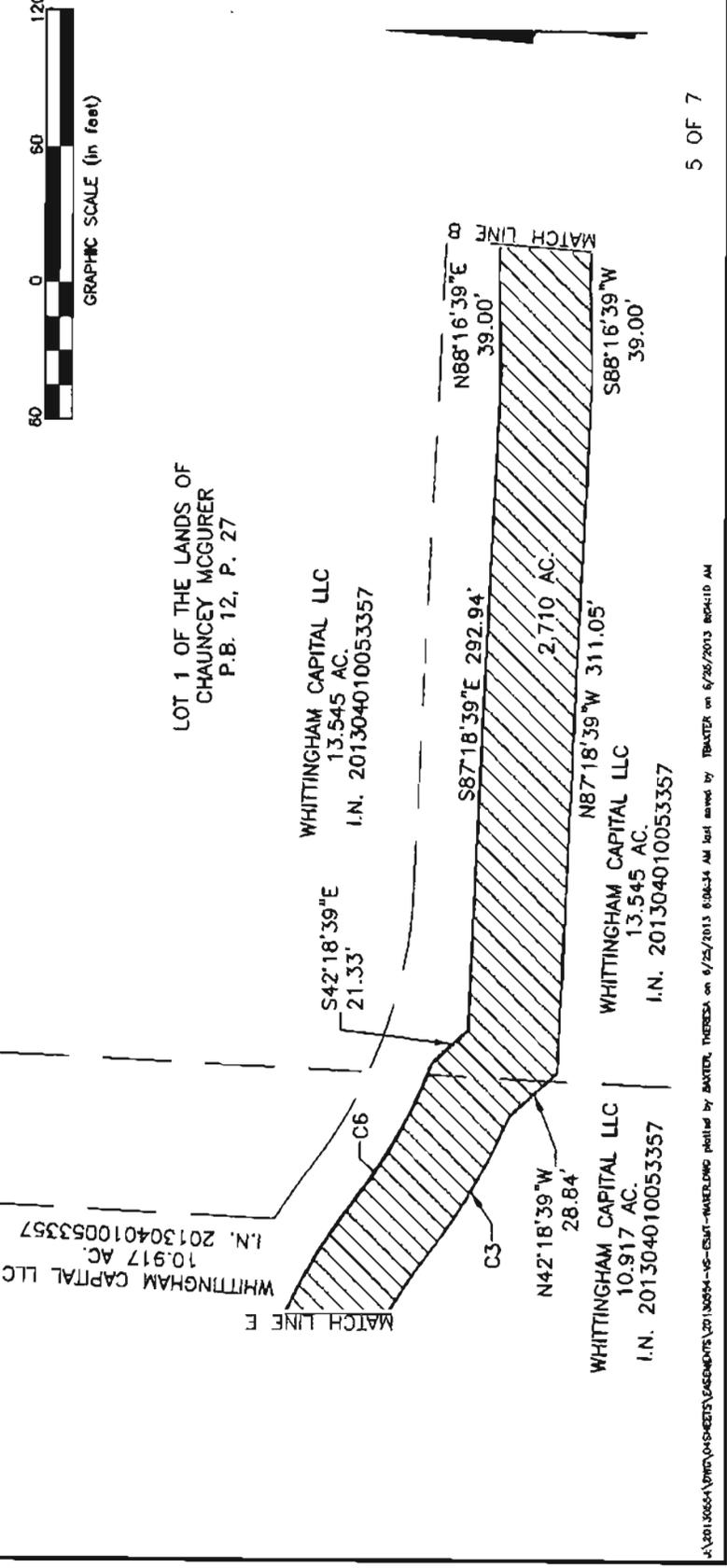


* Federated Boulevard now known as Village Parkway by motion unanimously passed by City Council, City of Dublin, Ohio on August 1, 1988.



WATER LINE EASEMENT
 QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 17, 2013
 Scale: 1" = 60'
 Job No. 2013-0554

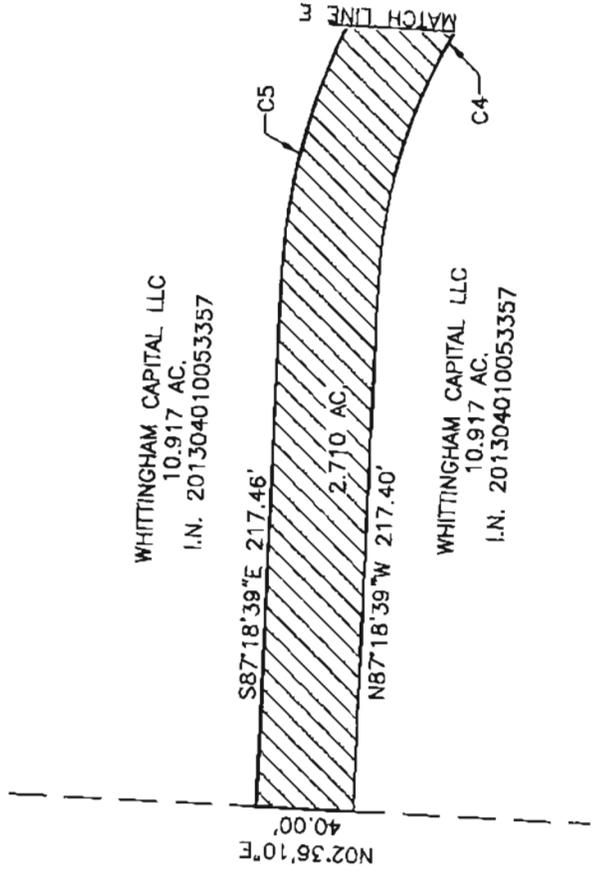


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EMHNT
 Evette, Mechwan, Hambleton & Tibbitt, P.C.
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WATER LINE EASEMENT
 QUATER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 17, 2013
 Scale: 1" = 60'
 Job No. 2013-0554



FEDERATED BOULEVARD
 NKA VILLAGE PARKWAY *
 P.B. 65, PP. 27 & 28



* Federated Boulevard now known as Village Parkway by motion
 unananimously passed by City Council, City of Dublin, Ohio on
 August 1, 1988.



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WATER LINE EASEMENT
QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
UNITED STATES MILITARY LANDS
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 17, 2013

Scale: 1" = 60'

Job No. 2013-0554

Curve Table

Curve Number	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	47°17'34"	236.00'	194.80'	S69°02'34"W	189.31'
C2	47°17'34"	276.00'	227.81'	N69°02'34"E	221.40'
C3	14°38'13"	276.00'	70.51'	N59°32'32"W	70.32'
C4	35°05'14"	224.00'	137.17'	N69°46'03"W	135.04'
C5	35°05'14"	264.00'	161.67'	S69°46'03"E	159.16'
C6	16°40'16"	236.00'	68.67'	S60°33'34"E	68.43'

DEED OF EASEMENT
(Waterline Easement)

Whittingham Capital, LLC, an Ohio limited liability company ("Grantor"), whose mailing address is _____, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, does grant to the City of Dublin, Ohio, an Ohio municipal corporation ("Grantee"), whose mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017, its successors and assigns forever, a non-exclusive easement in, under, across and through the real property described on Exhibit "A" and depicted on Exhibit "B", each of which is incorporated into this Deed of Easement (the "Easement Area"), for the purposes of installing, constructing, accessing, replacing, repairing, maintaining and operating an underground waterline, together with stubs and fire hydrants appurtenant thereto.

Grantee has the right to install, construct, access, replace, repair, maintain and operate an underground waterline, together with the stubs and fire hydrants appurtenant thereto, within the Easement Area at its expense. Grantee has the right to remove any vegetation located within the Easement Area, provided such removal is reasonably necessary for Grantee's use of the Easement Area as permitted by this Deed of Easement. Grantee shall restore the ground disturbed in the course of such work as nearly as reasonably practicable to the condition which existed immediately prior to Grantee's entry onto the Easement Area within a reasonable time frame thereafter; provided, however, in no event will Grantee be responsible for the costs to replace any trees or vegetation located within the Easement Area. Grantee has the right of ingress and egress across Grantor's property as is reasonably necessary to access the Easement Area.

Grantor may use the Easement Area for all purposes not inconsistent with Grantee's enjoyment of the easement granted by this Deed of Easement; however, Grantor shall not construct nor permit the construction of any permanent buildings on or within the Easement Area.

Grantor covenants with Grantee that it is the true and lawful owner of the above-described real property. This easement is granted subject to all public rights-of-way, easements and other matters of record.

Grantor and Grantee understand and agree that all terms and conditions contained in this Deed of Easement shall be effective and binding upon the parties hereto and their respective successors and assigns.

This Deed of Easement shall be construed in accordance with the laws of the State of Ohio.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, Grantor and Grantee have caused this Deed of Easement to be executed this _____ day of _____, 2013.

GRANTOR:
Whittingham Capital, LLC,
an Ohio limited liability company

GRANTEE:
City of Dublin, Ohio,
an Ohio municipal corporation

By: _____
Its: _____
Print Name: _____

By: _____
Marsha Grigsby, City Manager

STATE OF OHIO :
: ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by _____ the _____ of Whittingham Capital, LLC, an Ohio limited liability company, for and on behalf of such limited liability company.

Notary Public

STATE OF OHIO :
: ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by Marsha Grigsby, the City Manager of the City of Dublin, Ohio, an Ohio municipal corporation, for and on behalf of such municipal corporation.

Notary Public

**WATER LINE EASEMENT
0.033 ACRE**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township 2, Range 16, United States Military Lands, being across those 13.545, 1.502, and 8.381 acre tracts conveyed to Whittingham Capital LLC by deeds of record in Instrument Number 200911090161708 and Instrument Number 201304010053357 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a southwesterly corner of that 7.467 acre tract conveyed to Clearview Dublin LLC by deed of record in Instrument Number 201009140119604, with the northerly line of said 13.545 acre tract;

thence with a southerly line of said 7.467 acre tract, with the arc of a curve to the right, having a central angle of 18° 21' 15", a radius of 165.50 feet, an arc length of 53.02 feet, a chord bearing and distance of South 69° 08' 13" East, 52.79 feet to a point of tangency;

thence South 59° 57' 35" East, continuing with said southerly line, a distance of 59.67 feet to the TRUE POINT OF BEGINNING;

thence with said southerly line, the following courses and distances:

South 59° 57' 35" East, a distance of 15.18 feet to a point of curvature to the left; and

with the arc of said curve to the left, having a central angle of 64° 17' 35", a radius of 25.00 feet, an arc length of 28.05 feet, a chord bearing and distance of North 88° 01' 43" East, 26.60 feet to a point;

thence South 02° 41' 21" West, across said 13.545 acre tract, a distance of 2.31 feet to a point on the arc of a curve to the left in the westerly right-of-way line of Dublin Center Drive of record in Plat Book 65, Pages 27 and 28;

thence with said westerly right-of-way line, with the arc of said curve the left, having a central angle of 15° 42' 59", a radius of 257.87 feet, an arc length of 70.73 feet, a chord bearing and distance of South 28° 18' 49" West, 70.51 feet to a point;

thence North 69° 32' 41" West, across said 1.502 acre tract, a distance of 9.98 feet to a point;

thence North 02° 41' 21" East, across said 1.502, 8.381 and 13.545 acre tracts, a distance of 67.66 feet to the TRUE POINT OF BEGINNING, and containing 0.033 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller
Registered Surveyor No. 8250





Evans, Mechwart, Hambleton & Olson, Inc.
 150 New Albany Road, Columbus, OH 43204
 Phone: 614.773.4500 Fax: 614.773.4548
 emht.com

WATER LINE EASEMENT

QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 24, 2013

Job No. 2013-0554

Scale: 1" = 30'



J:\20130554\Drawings\ASSETS\ASSETS\20130554-18-ESMT-161R-02.DWG plotted by BAUTER, THERESA on 8/25/2013 10:12:56 AM last saved by BAUTER on 8/24/2013 3:09:53 PM



By Edward J. Miller Date _____
 Professional Surveyor No. 8250



**DEED OF EASEMENT
(Waterline Easement)**

Clearview Dublin, LLC, an Ohio limited liability company ("Grantor"), whose mailing address is _____, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, does grant to the City of Dublin, Ohio, an Ohio municipal corporation ("Grantee"), whose mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017, its successors and assigns forever, a non-exclusive easement in, under, across and through the real property described on Exhibit "A" and depicted on Exhibit "B", each of which is incorporated into this Deed of Easement (the "Easement Area"), for the purposes of installing, constructing, accessing, replacing, repairing, maintaining and operating an underground waterline, together with stubs and fire hydrants appurtenant thereto.

Grantee has the right to install, construct, access, replace, repair, maintain and operate an underground waterline, together with the stubs and fire hydrants appurtenant thereto, within the Easement Area at its expense. Grantee has the right to remove any vegetation located within the Easement Area, provided such removal is reasonably necessary for Grantee's use of the Easement Area as permitted by this Deed of Easement. Grantee shall restore the ground disturbed in the course of such work as nearly as reasonably practicable to the condition which existed immediately prior to Grantee's entry onto the Easement Area within a reasonable time frame thereafter; provided, however, in no event will Grantee be responsible for the costs to replace any trees or vegetation located within the Easement Area. Grantee has the right of ingress and egress across Grantor's property as is reasonably necessary to access the Easement Area.

Grantor may use the Easement Area for all purposes not inconsistent with Grantee's enjoyment of the easement granted by this Deed of Easement; however, Grantor shall not construct nor permit the construction of any permanent buildings on or within the Easement Area.

Grantor covenants with Grantee that it is the true and lawful owner of the above-described real property. This easement is granted subject to all public rights-of-way, easements and other matters of record.

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(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, Grantor and Grantee have caused this Deed of Easement to be executed this _____ day of _____, 2013.

GRANTOR:
Clearview Dublin, LLC,
an Ohio limited liability company

GRANTEE:
City of Dublin, Ohio,
an Ohio municipal corporation

By: _____
Its: _____
Print Name: _____

By: _____
Marsha Grigsby, City Manager

STATE OF OHIO :
: ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by _____ the _____ of Clearview Dublin, LLC, an Ohio limited liability company, for and on behalf of such limited liability company.

Notary Public

STATE OF OHIO :
: ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by Marsha Grigsby, the City Manager of the City of Dublin, Ohio, an Ohio municipal corporation, for and on behalf of such municipal corporation.

Notary Public

**WATER LINE EASEMENT
0.264 ACRE**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township 2, Range 16, United States Military Lands, being across that 7.467 acre tract conveyed to Clearview Dublin LLC by deed of record in Instrument Number 201009140119604 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a southwesterly corner of said 7.467 acre tract, with the northerly line of that 13.545 acre tract conveyed to Whittingham Capital LLC by deed of record in Instrument Number 201304010053357;

thence North 02° 41' 21" East, with the westerly line of said 7.467 acre tract, a distance of 8.46 feet to the TRUE POINT OF BEGINNING;

thence North 02° 41' 21" East, continuing with said westerly line, a distance of 40.00 feet to a point;

thence South 87° 18' 39" East, across said 7.467 acre tract, a distance of 268.42 feet to a point on the arc of a curve to the left on the westerly right-of-way line of Dublin Center Drive of record in Plat Book 65, Pages 27 and 28;

thence with said westerly right-of-way line, with the arc of said curve to the left, having a central angle of 18° 08' 51", a radius of 257.88 feet, an arc length of 81.68 feet, a chord bearing and distance of South 63° 13' 54" West, 81.34 feet to a point;

thence North 87° 18' 39" West, across said 7.467 acre tract, a distance of 54.44 feet to a point

thence South 02° 41' 21" West, continuing across said 7.467 acre tract, a distance of 57.15 feet to a point on the arc of a curve on a northerly line of said 13.545 acre tract;

thence with said northerly line, with the arc of said curve to the right, having a central angle of 64° 17' 35", a radius of 25.00 feet, an arc length of 28.05 feet, a chord bearing and distance of South 88° 01' 43" West, 26.60 feet to a point of tangency;

thence North 59° 57' 35" West, continuing with said northerly line, a distance of 15.18 feet to a point;

thence North 02° 41' 21" East, across said 7.467 acre tract, a distance of 52.34 feet to a point;

thence North 87° 18' 39" West, continuing across said 7.467 acre tract, a distance of 103.16 feet to the TRUE POINT OF BEGINNING, and containing 0.264 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller
Registered Surveyor No. 8250



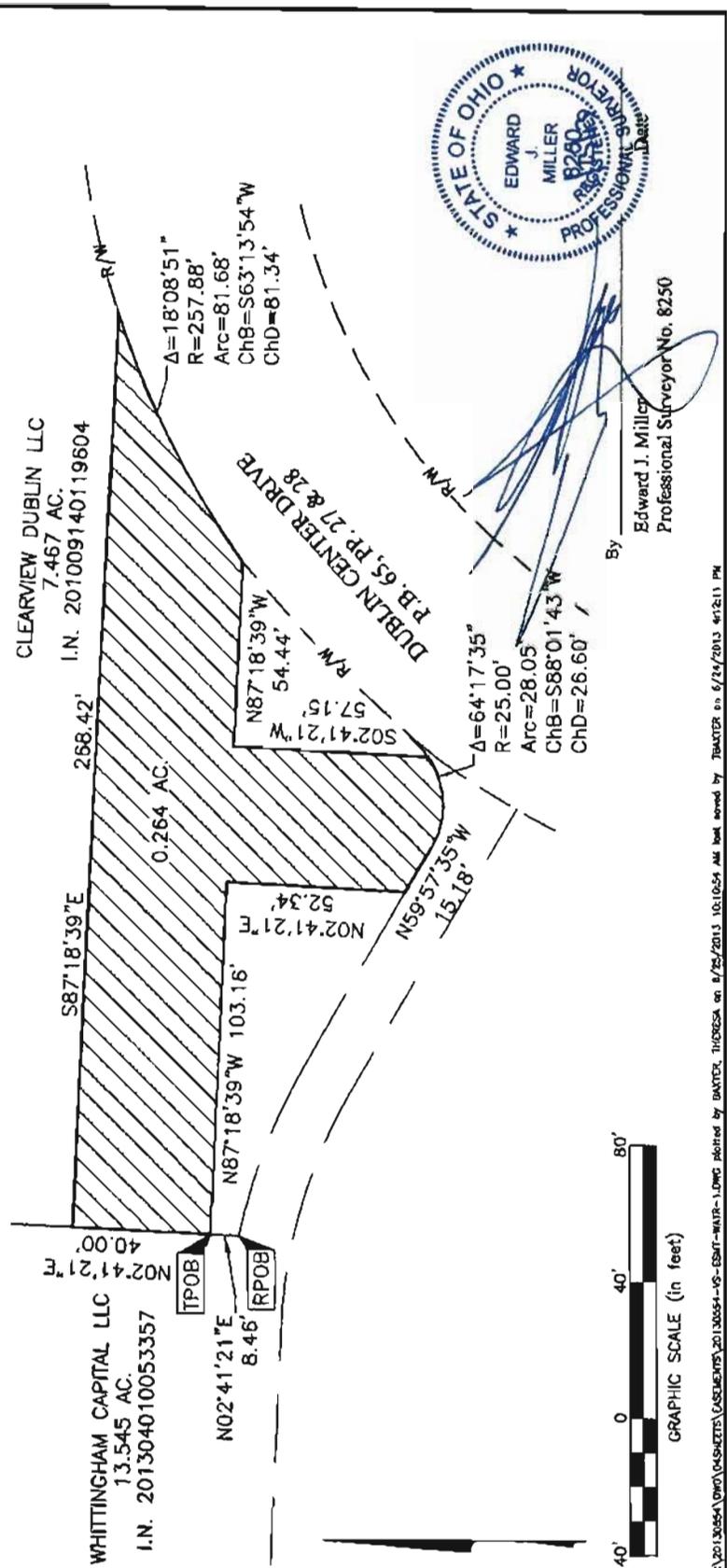
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EMHT
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WATER LINE EASEMENT

QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19
 UNITED STATES MILITARY LANDS
 CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: JUNE 24, 2013
 Scale: 1" = 40'
 Job No. 2013-0554



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