



To: Members of Dublin City Council

From: Dana McDaniel, City Manager 

Date: March 3, 2016

Initiated By: Barbara A. Cox, PE, Acting Director of Engineering/City Engineer
Michael S. Sweder, PE, Civil Engineer II
Philip K. Hartmann, Assistant Law Director

Re: Ordinance 10-16 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.736 ACRE, MORE OR LESS, FEE SIMPLE RIGHT-OF-WAY (OF WHICH 0.420 ACRES IS WITHIN PRESENT ROAD OCCUPIED; A 0.135 ACRE, MORE OR LESS, PERMANENT UTILITY EASEMENT; A 0.005 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT; AND A 0.034 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM ALEXIS L. GOSETTO, FROM THE PROPERTY LOCATED AT 6789 RINGS ROAD, FOR THE PUBLIC PURPOSE OF ROADWAY CONSTRUCTION.

BACKGROUND

The City of Dublin ("City") is preparing to construct a single lane modern roundabout at the intersection of Rings Road and Churchman Road, which includes the extension of a shared-use path to Eiterman Road, as a part of the Churchman Road – Phase 2 project (the "Project"). The City is obtaining certain property interests from various landowners to construct the project.

Alexis L. Gosetto (the "Grantor") owns property from which the City desires fee simple right-of-way, a permanent utility easement and a temporary construction easement. This property is located at 6789 Rings Road, Dublin, OH 43016 and is identified as Franklin County Parcel No. 274-000026.

The acquisition of these property interests are vital to the ability for Columbia Gas of Ohio, Inc. to relocate an existing three (3) inch gas main along Rings Road. This work cannot proceed until these property interests are secured. Delaying the relocation of the gas main could impact the schedule to construct the roundabout.

The City is hopeful that an amicable resolution can be reached with the Grantors; however, this Ordinance authorizes the Law Director's office to file a complaint for appropriation in the court of common pleas in the event that negotiations are unsuccessful.

ACQUISITION

The appropriation consists of a 0.736 acre, more or less, fee simple right-of-way (of which 0.420 acres is within present road occupied; a 0.135 acre, more or less, permanent utility easement; a 0.005 acre, more or less, temporary construction easement; and a 0.034 acre, more or less, temporary construction easement. The acquisition consists of only the interests that are necessary

for the purposes of the Project. The appraised fair market value of the property interests was determined to be \$14,250.00.

RECOMMENDATION

The Law Department recommends approval of Ordinance 10-16 at the second reading/public hearing on April 11, 2016, which will authorize the Law Director's office to initiate an eminent domain action and keep the Project moving forward.

RECORD OF ORDINANCES

Ordinance No. 10-16

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.736 ACRE, MORE OR LESS, FEE SIMPLE RIGHT-OF-WAY (OF WHICH 0.420 ACRES IS WITHIN PRESENT ROAD OCCUPIED; A 0.135 ACRE, MORE OR LESS, PERMANENT UTILITY EASEMENT; A 0.005 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT; AND A 0.034 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM ALEXIS L. GOSETTO, FROM THE PROPERTY LOCATED AT 6789 RINGS ROAD, FOR THE PUBLIC PURPOSE OF ROADWAY CONSTRUCTION.

WHEREAS, the City of Dublin (the "City") is preparing to construct Phase 2 of the Churchman Road roadway project, which will include the construction of a roundabout at Churchman Road and Rings Road, and related public improvements (the "Project"); and

WHEREAS, the Project requires that the City obtain a fee simple right-of-way interest, a permanent utility easement, and two temporary construction easements from Alexis L. Gosetto, as described in the attached Exhibit "A", and depicted in the attached Exhibit "B", said property interest located in the City of Dublin, County of Franklin, State of Ohio.

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

Section 1. Council considers it necessary and declares its authorization to appropriate, for the public purpose of constructing roadway improvements to serve the residents of the City of Dublin, a 0.736 acre, more or less, fee simple right-of-way, a 0.135 acre, more or less, permanent utility easement, a 0.005 acre, more or less, temporary construction easement, and a 0.034 acre, more or less, temporary construction easement, each temporary easement being for 18 months, commencing on the date construction begins, as described in the attached Exhibit "A", and depicted in the attached Exhibit "B".

Section 2. The City Law Director's office is hereby authorized to file a petition for appropriation in the county Court of Common Pleas should it become necessary, and is further authorized to utilize quick-take procedures pursuant to Chapter 163 of the Ohio Revised Code.

Section 3. This Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to take any other actions as may be appropriate to implement this Ordinance.

Section 4. This Ordinance shall take effect in accordance with 4.04(b) of the Dublin Revised Charter.

Passed this _____ day of _____, 2016.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Portion above reserved for Auditor, Engineer and Recorder's Offices use

GENERAL WARRANTY DEED

(R.C. § 5302.05)

KNOW ALL PERSONS BY THESE PRESENTS THAT **ALEXIS L. GOSETTO** ("GRANTOR"), whose tax mailing address is 4295 Braunton Road, Columbus, Ohio 43220, for good and valuable consideration given by the **CITY OF DUBLIN, OHIO** ("GRANTEE"), an Ohio municipal corporation, whose tax mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017, the receipt and sufficiency of which is hereby acknowledged, does forever grant in fee simple title with all general warranty covenants under section 5302.06 of the OHIO REVISED CODE, subject to easements, conditions, encumbrances, and restrictions of record, to Grantee, and Grantee's successors and assigns, the real property described on **EXHIBIT "A"** and depicted on **EXHIBIT "B"** attached hereto to this deed (the "Property").

0.736 ACRE (OF WHICH 0.420 ACRE IS PRESENT ROAD OCCUPIED)

FRANKLIN COUNTY PARCEL NO.: 274-000026

COMMON ADDRESS: 6789 Rings Road, Dublin, Ohio 43016

INSTRUMENT REFERENCES: 201208070113847: RECORDER'S OFFICE FRANKLIN COUNTY, OHIO

Said Grantor, for itself, successors, and assigns, hereby covenants with said Grantee, its successors and assigns, that it is the true and lawful owner of the Property, and lawfully seized of the same in fee simple and that it has good rights and full power to grant, bargain, sell, convey, and release the same in the manner aforesaid.

THE REAL PROPERTY LEGALLY DESCRIBED HEREIN IS INTENDED BY GRANTEE TO BE HELD FOR USE AS PUBLIC RIGHT-OF-WAY.

Executed this ____ day of _____, 2016.

Execution in accordance with Chapter 5301 of the Ohio Revised Code.

{SIGNATURE AND ACKNOWLEDGEMENT ON THE FOLLOWING PAGE}

GRANTOR

ALEXIS L. GOSETTO

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said county and state, personally came Alexis L. Gosetto, who acknowledged the signing thereof to be his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

*This Instrument Prepared By:
Frost Brown Todd, LLC
One Columbus, Suite 2300
10 West Broad Street
Columbus, Ohio 43215*

PERMANENT UTILITY EASEMENT

THIS PERMANENT UTILITY EASEMENT (the "Easement") is made and entered into this ____ day of _____ 2016, by and between **Alexis L. Gosetto** ("Grantor") whose tax mailing address is at 4295 Braunton Road, Columbus, Ohio 43220, and the **City of Dublin, Ohio**, an Ohio municipal corporation ("Grantee"), whose mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017.

BACKGROUND INFORMATION

WHEREAS, Grantor owns the real property known as Franklin County Auditor's Parcel No. 274-000026 (the "Grantor's Property");

WHEREAS, Grantee desires a permanent utility easement over those portions of the Grantor's Property legally described on the attached Exhibit "A" and depicted on the attached Exhibit "B" (the "Easement Area"); and

WHEREAS, Grantor desires to grant a permanent utility easement over the Easement Area for the benefit of Grantee upon the terms and conditions set forth in this Easement.

STATEMENT OF AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the foregoing Background Information and as follows:

1. Grant of Permanent Easement. Grantor grants to Grantee, its agents, employees, independent contractors, and successors and assigns, a permanent, non-exclusive easement in, through, over and under the Easement Area for the following purposes: (i) to construct, operate, maintain, repair, and replace public and private utilities, including, but not limited to (a) utility lines for gas, electric, water, sewer, cable, and communication services, and facilities and appurtenances incidental thereto, including, but not limited to, lines, wires, cables, conduits, anchors, circuits, equipment, meters, valves, regulators, manholes, drain pipes, fixtures, and other appurtenances and facilities and (b) drainage facilities (collectively, the "Facilities"); (ii) of ingress and egress over those portions of Grantor's Property reasonably necessary to facilitate Grantee's use of the Easement Area; (iii) construction, operation, and maintenance of service connections to all adjacent lots and lands, including the right of ingress and egress; and (iv) the right to do all things necessary, proper, or incidental to the successful operation and maintenance of such utilities is further reserved herein. Grantee, as soon as reasonably practicable after construction and installation of the Facilities, including any alterations and repairs thereto, and completion of the grading work, shall cause the Easement Area to be restored to its former condition as nearly as is reasonably practicable. Grantee shall have the right to remove any and all vegetation growing within the Easement Area as is reasonably necessary to facilitate Grantee's use thereof as permitted by this Easement. Grantor has the right to enter on the Easement Area for any purpose whatsoever provided such entry by Grantor does not in any way impair or hinder the rights granted to Grantee in this Easement.

2. Relationship of Parties. Nothing contained herein shall be deemed or construed by the parties or by any third party as creating the relationship of principal and agent, of

partnership or of joint venture between the parties, it being understood and agreed that no provision contained herein or any act of the parties hereto shall be deemed to create any relationship other than grantors and grantee of the rights and easements set forth herein.

3. Waiver. Except to the extent that a party may have otherwise agreed in writing, no waiver by such party of any breach of the other party of any of its obligations, agreements, or covenants hereunder shall be deemed to be a waiver of any subsequent breach of the same or of any other covenants, agreements or obligations, nor shall any forbearance by a party to seek a remedy for any breach by the other party be deemed a waiver of any rights or remedies with respect to such breach or any similar breach in the future.

4. Severability. In the event any provision of this Easement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

5. Captions and Pronoun Usage. The captions and section numbers in this Easement are for convenience only and shall not be deemed to be a part hereof. The pronouns used herein shall be considered as meaning the person, number, and gender appropriate under the circumstances at any given time.

6. Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of Ohio.

7. Modification. This Easement, or any easement or covenant set forth herein, may not be amended, terminated, rescinded or otherwise modified, in whole or in part, except by a written instrument executed by the parties hereto and recorded with the Recorder's Office, Franklin County, Ohio with reference made to this Easement.

8. Benefit. This Easement shall run with the land and inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, representatives, successors and assigns.

9. Authority. Grantor represents and warrants that it has the full right and authority to enter into this Easement and grants the rights hereby conveyed to Grantee.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth above.

GRANTOR:

GRANTEE:

City of Dublin, Ohio,
an Ohio Municipal Corporation

Alexis L. Gosetto

Dana L. McDaniel, City Manager

{ACKNOWLEDGMENTS ON THE FOLLOWING PAGE}

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said county and state, personally came Dana L. McDaniel, City Manager of the CITY OF DUBLIN, OHIO, an Ohio municipal corporation, who acknowledged the signing thereof to be his free act and deed for and on behalf of the municipal corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said county and state, personally came Alexis L. Gosetto, who acknowledged the signing thereof to be his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

This Instrument Prepared By:
Frost Brown Todd LLC
One Columbus
10 West Broad Street
Columbus, Ohio 43215

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT (the "Easement") is made and entered into this ____ day of _____ 2016, by and between **Alexis L. Gosetto** ("Grantor") whose tax mailing address is at 4295 Braunton Road, Columbus, Ohio 43220, and the **City of Dublin, Ohio**, an Ohio municipal corporation ("Grantee"), whose mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017.

BACKGROUND INFORMATION

WHEREAS, Grantor owns the real property known as Franklin County Auditor's Parcel No. 274-000026 (the "Grantor's Property");

WHEREAS, Grantee desires a temporary easement over those portions of the Grantor's Property legally described on the attached Exhibit "A" and depicted on attached Exhibit "B" (the "Easement Area") for a period of eighteen (18) months, commencing on the date construction begins, for the purpose of construction and grading related to the construction of a roadway, utilities, and related improvements; and

WHEREAS, Grantor desires to grant a temporary easement over the Easement Area for the benefit of Grantee upon the terms and conditions set forth in this Easement.

STATEMENT OF AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the foregoing Background Information and as follows:

1. Grant of Temporary Easement. Grantor grants to Grantee, its agents, employees, independent contractors, and successors and assigns, a temporary, non-exclusive easement in gross in, through, over and under the Easement Area for a period of eighteen (18) months, commencing on the date construction begins, for the purpose of construction and grading related to the construction of a roadway, utilities, and related improvements. Grantee shall have the right to enter on and use the Easement Area in connection with the performance of certain work on the Grantor's Property, including, but not limited to, construction, grading, utility work, storm drainage work, and for any other purpose reasonably necessary in connection with the same. Upon termination of the aforementioned activities, Grantee shall, at its sole cost and expense, restore the Easement Area as nearly as reasonably practicable to the condition that existed prior to the entry thereon by Grantee.
2. Relationship of Parties. Nothing contained herein shall be deemed or construed by the parties or by any third party as creating the relationship of principal and agent, of partnership or of joint venture between the parties, it being understood and agreed that no provision contained herein or any act of the parties hereto shall be deemed to create any relationship other than grantor and grantee of the rights and easements set forth herein.

3. Waiver. Except to the extent that a party may have otherwise agreed in writing, no waiver by such party of any breach of the other party of any of its obligations, agreements, or covenants hereunder shall be deemed to be a waiver of any subsequent breach of the same or of any other covenants, agreements or obligations, nor shall any forbearance by a party to seek a remedy for any breach by the other party be deemed a waiver of any rights or remedies with respect to such breach or any similar breach in the future.
4. Severability. In the event any provision of this Easement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
5. Captions and Pronoun Usage. The captions and section numbers in this Easement are for convenience only and shall not be deemed to be a part hereof. The pronouns used herein shall be considered as meaning the person, number, and gender appropriate under the circumstances at any given time.
6. Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of Ohio.
7. Modification. This Easement, or any easement or covenant set forth herein, may not be amended, terminated, rescinded or otherwise modified, in whole or in part, except by a written instrument executed by the parties hereto with reference made to this Easement.
8. Benefit. This Easement shall run with the land and inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, representatives, successors and assigns.
9. Authority. Grantor represents and warrants that it has the full right and authority to enter into this Easement and grants the rights hereby conveyed to Grantee.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth above.

GRANTOR:

GRANTEE:

City of Dublin, Ohio, an Ohio Municipal Corporation

Alexis L. Gosetto

Dana L. McDaniel, City Manager

{ACKNOWLEDGEMENTS ON THE FOLLOWING PAGE}

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said county and state, personally came Dana L. McDaniel, City Manager of the CITY OF DUBLIN, OHIO, an Ohio municipal corporation, who acknowledged the signing thereof to be his free act and deed for and on behalf of the municipal corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this _____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said County, personally came the above named Alexis L. Gosetto, Grantor in the foregoing Temporary Easement, and acknowledged the signing of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last aforesaid.

Notary Public

This Instrument Prepared By:
Frost Brown Todd LLC
One Columbus
10 West Broad Street
Columbus, Ohio 43215

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT (the "Easement") is made and entered into this ____ day of _____ 2016, by and between **Alexis L. Gosetto** ("Grantor") whose tax mailing address is at 4295 Braunton Road, Columbus, Ohio 43220, and the **City of Dublin, Ohio**, an Ohio municipal corporation ("Grantee"), whose mailing address is 5200 Emerald Parkway, Dublin, Ohio 43017.

BACKGROUND INFORMATION

WHEREAS, Grantor owns the real property known as Franklin County Auditor's Parcel No. 274-000026 (the "Grantor's Property");

WHEREAS, Grantee desires a temporary easement over those portions of the Grantor's Property legally described on the attached Exhibit "A" and depicted on attached Exhibit "B" (the "Easement Area") for a period of eighteen (18) months, commencing on the date construction begins, for the purpose of construction and grading related to the construction of a roadway, utilities, and related improvements; and

WHEREAS, Grantor desires to grant a temporary easement over the Easement Area for the benefit of Grantee upon the terms and conditions set forth in this Easement.

STATEMENT OF AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the foregoing Background Information and as follows:

1. Grant of Temporary Easement. Grantor grants to Grantee, its agents, employees, independent contractors, and successors and assigns, a temporary, non-exclusive easement in gross in, through, over and under the Easement Area for a period of eighteen (18) months, commencing on the date construction begins, for the purpose of construction and grading related to the construction of a roadway, utilities, and related improvements. Grantee shall have the right to enter on and use the Easement Area in connection with the performance of certain work on the Grantor's Property, including, but not limited to, construction, grading, utility work, storm drainage work, and for any other purpose reasonably necessary in connection with the same. Upon termination of the aforementioned activities, Grantee shall, at its sole cost and expense, restore the Easement Area as nearly as reasonably practicable to the condition that existed prior to the entry thereon by Grantee.
2. Relationship of Parties. Nothing contained herein shall be deemed or construed by the parties or by any third party as creating the relationship of principal and agent, of partnership or of joint venture between the parties, it being understood and agreed that no provision contained herein or any act of the parties hereto shall be deemed to create any relationship other than grantor and grantee of the rights and easements set forth herein.

3. Waiver. Except to the extent that a party may have otherwise agreed in writing, no waiver by such party of any breach of the other party of any of its obligations, agreements, or covenants hereunder shall be deemed to be a waiver of any subsequent breach of the same or of any other covenants, agreements or obligations, nor shall any forbearance by a party to seek a remedy for any breach by the other party be deemed a waiver of any rights or remedies with respect to such breach or any similar breach in the future.
4. Severability. In the event any provision of this Easement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
5. Captions and Pronoun Usage. The captions and section numbers in this Easement are for convenience only and shall not be deemed to be a part hereof. The pronouns used herein shall be considered as meaning the person, number, and gender appropriate under the circumstances at any given time.
6. Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of Ohio.
7. Modification. This Easement, or any easement or covenant set forth herein, may not be amended, terminated, rescinded or otherwise modified, in whole or in part, except by a written instrument executed by the parties hereto with reference made to this Easement.
8. Benefit. This Easement shall run with the land and inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, representatives, successors and assigns.
9. Authority. Grantor represents and warrants that it has the full right and authority to enter into this Easement and grants the rights hereby conveyed to Grantee.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth above.

GRANTOR:

GRANTEE:

City of Dublin, Ohio, an Ohio Municipal Corporation

Alexis L. Gosetto

Dana L. McDaniel, City Manager

{ACKNOWLEDGEMENTS ON THE FOLLOWING PAGE}

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this ____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said county and state, personally came Dana L. McDaniel, City Manager of the CITY OF DUBLIN, OHIO, an Ohio municipal corporation, who acknowledged the signing thereof to be his free act and deed for and on behalf of the municipal corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBERED, that on this _____ day of _____, 2016, before me, the subscriber, a Notary Public in and for said County, personally came the above named Alexis L. Gosetto, Grantor in the foregoing Temporary Easement, and acknowledged the signing of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last aforesaid.

Notary Public

This Instrument Prepared By:
Frost Brown Todd LLC
One Columbus
10 West Broad Street
Columbus, Ohio 43215

EXHIBIT "A"

19-WD

**DESCRIPTION OF A 0.736 ACRE RIGHT-OF-WAY PARCEL
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN THE FOLLOWING DESCRIBED
PROPERTY WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey (VMS) number 3453, being part of that 35.60 acre tract of land described in a deed to **Alexis L. Gosetto**, of record in Instrument Number 201208070113847, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, said parcel being more particularly bounded and described as follows:

Commencing for reference at Franklin County Geodetic Survey monument number 7747, said monument being on the west line of said VMS number 3453, being on the east line of VMS number 6953, being at an angle point on the existing centerline of right-of-way for Rings Road, and being the northwest corner of that 1.5 acre tract of land described in a deed to Deborah M. Hofecker, of record in Official Record 8104 113;

Thence **North 88 degrees 00 minutes 41 seconds East**, along the existing centerline of right-of-way for said Rings Road, along the north line of said 1.5 acre tract, a distance of **122.79 feet** to the northwest corner of the grantor's land, being the northeast corner of said 1.5 acre tract, and being the **TRUE POINT OF BEGINNING** for the herein described right-of-way parcel;

Thence **North 88 degrees 00 minutes 41 seconds East**, continuing along the existing centerline of right-of-way for said Rings Road, along the north line of the grantor's land, a distance of **610.48 feet** (reference passing a railroad spike found at a distance of 9.15 feet) to the northeast corner of the grantor's land, being the northwest corner of that 38.18 acre tract of land described in a deed to Russell R. Everman and Bernice D. Everman, of record in Official Record 12019 C13;

Thence **South 05 degrees 48 minutes 43 seconds East**, along the east line of the grantor's land and along the west line of said 38.18 acre tract, a distance of **30.07 feet** to an iron pin set on the existing south right-of-way line for said Rings Road;

Thence across the grantor's land along the following seven (7) described courses:

1. **South 88 degrees 00 minutes 41 seconds West**, along the existing south right-of-way line for said Rings Road, a distance of **38.97 feet** to an iron pin set;
2. **South 01 degree 59 minutes 19 seconds East**, along a line perpendicular to the previous course, a distance of **19.00 feet** to an iron pin set;
3. **South 88 degrees 00 minutes 41 seconds West**, along a line parallel to and 49.00 feet by perpendicular measure south of the existing centerline of right-of-way for said Rings Road, a distance of **248.17 feet** to an iron pin set;
4. Along the arc of a non-tangent curve to the left, said curve having a radius of **284.00 feet**, a central angle of **09 degrees 15 minutes 59 seconds** and a length of **45.93 feet** to an iron pin set at a point of reverse curvature, said curve being subtended by a long chord having a bearing of **South 62 degrees 18 minutes 04 seconds West** and a length of **45.88 feet**;
5. Along the arc of a curve to the right, said curve having a radius of **81.00 feet**, a central angle of **64 degrees 49 minutes 41 seconds** and a length of **91.65 feet** to an iron pin set at a point of tangency, said curve being subtended by a long chord having a bearing of **North 89 degrees 55 minutes 05 seconds West** and a length of **86.84 feet**;

- 6. North 57 degrees 30 minutes 14 seconds West, a distance of 29.61 feet to an iron pin set;
- 7. South 88 degrees 00 minutes 41 seconds West, along a line parallel to and 49.00 feet south of the existing centerline of right-of-way for said Rings Road, a distance of 169.27 feet to an iron pin set on the west line of the grantor's land, being the east line of said 1.5 acre tract;

Thence North 06 degrees 07 minutes 30 seconds West, along the west line of the grantor's land and along the east line of said 1.5 acre tract, a distance of 49.13 feet to the TRUE POINT OF BEGINNING for the herein described right-of-way parcel.

The above described right-of-way parcel contains a total area of 0.736 acres (including 0.420 acres within the present road occupied) is located within Franklin County Auditor's parcel number 274-000026.

The bearings described herein are based on Grid North (reference North 83 degrees 49 minutes 54 seconds East for the centerline of Rings Road between Franklin County Geodetic Survey monuments 0049 and 7747) as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey.

Iron pins set are 30" by 5/8" diameter rebar with caps stamped "Structurepoint-PS 8438".

The above described right-of-way parcel was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on July 13, 2015, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.


 Brian P. Bingham, PS
 Registered Professional Surveyor No. 8438



10/20/2015
 Date

0-110-5
 split
 0.736 acre
 out of
 (274)
 26



PROJ. NO. 13.517
 DRAWN BY: MJW
 CHECKED BY: BPB
 DATE: 7/2/2015



AMERICAN
STRUCTUREPOINT
 INC.

2550 CORPORATE EXCHANGE DR, STE 300
 COLUMBUS, OH 43231
 TEL 614.901.2235 FAX 614.901.2236
 www.structurepoint.com

EXHIBIT "B"
 19-WD
**0.736 AC. RIGHT-OF-WAY
 PARCEL
 ACQUIRED FROM
 ALEXIS L. GOSETTO**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN
 CITY OF DUBLIN, LOCATED IN VIRGINIA MILITARY SURVEY NUMBER 3453

PID: 274-000035
 RUSSELL R. EVERMAN AND
 BERMICE D. EVERMAN
 O.R. 12019 C13
 38.18 AC.

PID: 274-000087
 NORTHWEST CHAPEL GRACE
 BRETHERN CHURCH
 I.N. 199912100304439
 2.802 AC.

PID: 274-000039
 NORTHWEST CHAPEL GRACE
 BRETHERN CHURCH
 I.N. 200408060187262
 1.136 AC.

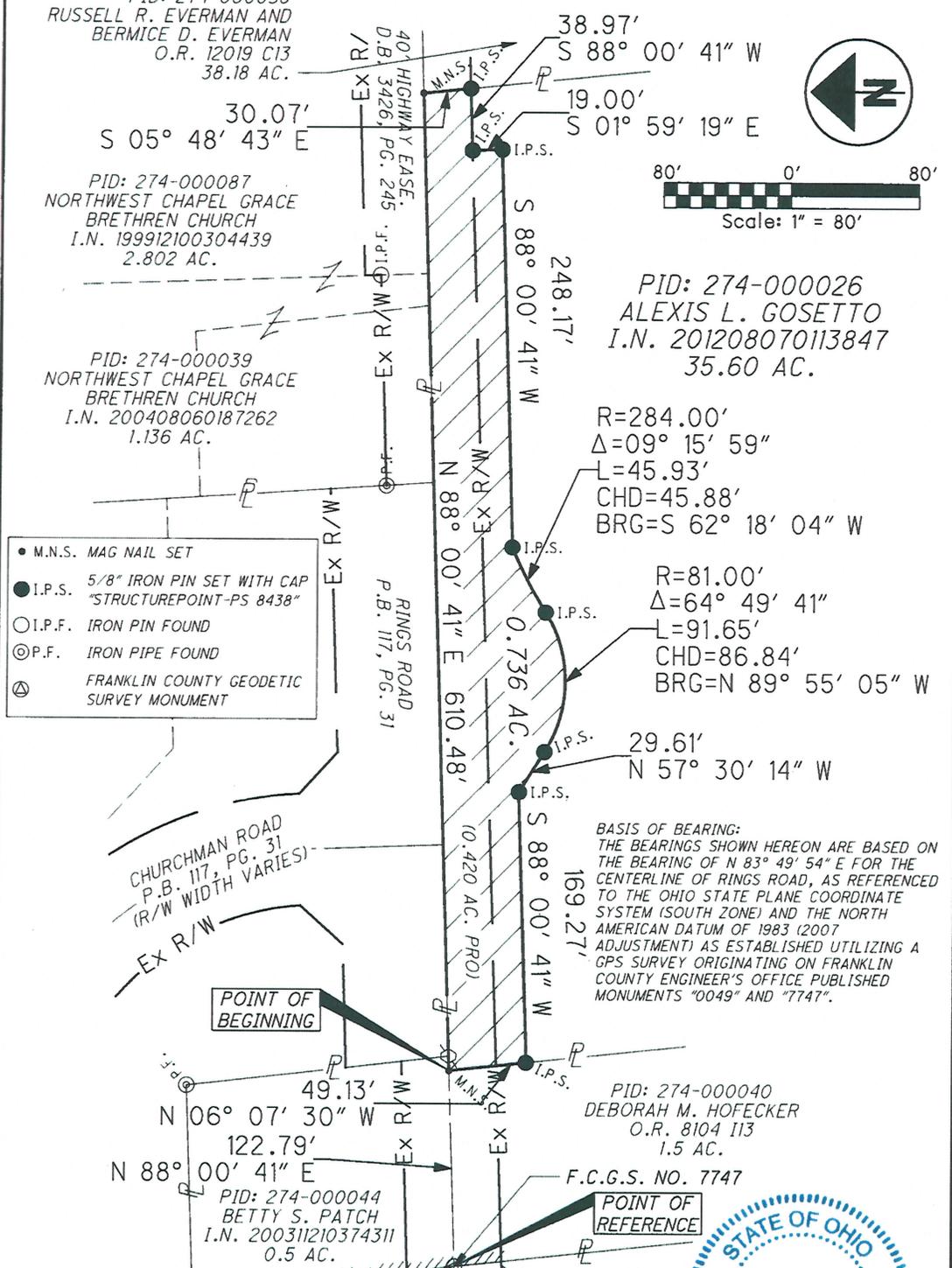
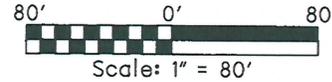
PID: 274-000026
 ALEXIS L. GOSETTO
 I.N. 201208070113847
 35.60 AC.

R=284.00'
 $\Delta=09^{\circ} 15' 59''$
 L=45.93'
 CHD=45.88'
 BRG=S 62° 18' 04" W

R=81.00'
 $\Delta=64^{\circ} 49' 41''$
 L=91.65'
 CHD=86.84'
 BRG=N 89° 55' 05" W

BASIS OF BEARING:
 THE BEARINGS SHOWN HEREON ARE BASED ON
 THE BEARING OF N 83° 49' 54" E FOR THE
 CENTERLINE OF RINGS ROAD, AS REFERENCED
 TO THE OHIO STATE PLANE COORDINATE
 SYSTEM (SOUTH ZONE) AND THE NORTH
 AMERICAN DATUM OF 1983 (2007
 ADJUSTMENT) AS ESTABLISHED UTILIZING A
 GPS SURVEY ORIGINATING ON FRANKLIN
 COUNTY ENGINEER'S OFFICE PUBLISHED
 MONUMENTS "0049" AND "7747".

- M.N.S. MAG NAIL SET
- I.P.S. 5/8" IRON PIN SET WITH CAP "STRUCTUREPOINT-PS 8438"
- I.P.F. IRON PIN FOUND
- ⊙ P.F. IRON PIPE FOUND
- ⊕ FRANKLIN COUNTY GEODETIC SURVEY MONUMENT



I HEREBY CERTIFY THAT:
 THIS DRAWING REPRESENTS THE RESULTS OF AN ACTUAL FIELD SURVEY
 OF THE PREMISES PERFORMED BY AMERICAN STRUCTUREPOINT, INC., AND
 IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Brian P. Bingham
 BRIAN P. BINGHAM, P.S. NO. 8438
 AMERICAN STRUCTUREPOINT, INC.

10/20/2015
 DATE



EXHIBIT "A"

19-U

DESCRIPTION OF A 0.135 ACRE PERMANENT UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey (VMS) number 3453, being part of that 35.60 acre tract of land described in a deed to Alexis L. Gosetto, of record in Instrument Number 201208070113847, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, said parcel being more particularly bounded and described as follows:

Commencing for reference at a MAG nail set on the existing centerline of right-of-way for Rings Road, being the northeast corner of the grantor's land;

Thence **South 88 degrees 00 minutes 41 seconds West**, along the existing centerline of right-of-way for said Rings Road, along the north line of the grantor's land, a distance of **229.02 feet** to a point;

Thence across the grantor's land along the following nine (9) described courses:

1. **South 01 degree 59 minutes 19 seconds East**, along a line perpendicular to the previous course, a distance of **49.00 feet** to a point on the proposed south right-of-way line for said Rings Road, said point being the **TRUE POINT OF BEGINNING** for the herein described utility easement;
2. **South 59 degrees 43 minutes 55 seconds West**, a distance of **119.01 feet** to a point;
3. **North 89 degrees 36 minutes 28 seconds West**, a distance of **65.94 feet** to a point;
4. **North 58 degrees 55 minutes 14 seconds West**, a distance of **98.31 feet** to a point on a proposed south right-of-way line for said Rings Road;
5. **North 88 degrees 00 minutes 41 seconds East**, along the proposed south right-of-way line for said Rings Road, a distance of **44.43 feet** to an iron pin set;
6. **South 57 degrees 30 minutes 14 seconds East**, continuing along the proposed south right-of-way line for said Rings Road, a distance of **29.61 feet** to an iron pin set at a point of curvature;
7. Along the arc of a curve to the left, continuing along the proposed south right-of-way line for said Rings Road, said curve having a radius of **81.00 feet**, a central of **64 degrees 49 minutes 41 seconds** and a length of **91.65 feet** to and iron pin set at a point of reverse curvature, said curve being subtended by a long chord having a bearing of **South 89 degrees 55 minutes 05 seconds East** and a length of **86.84 feet**;
8. Along the arc of a curve to the right, continuing along the proposed south right-of-way line for said Rings Road, said curve having a radius of **284.00 feet**, a central angle of **09 degrees 15 minutes 59 seconds** and a length of **45.93 feet** to an iron pin set, said curve being subtended by a long chord having a bearing of **North 62 degrees 18 minutes 04 seconds East** and a length of **45.88 feet**;
9. **North 88 degrees 00 minutes 41 seconds East**, continuing along the proposed south right-of-way line for said Rings Road, a distance of **56.11 feet** to the **TRUE POINT OF BEGINNING** for the herein described utility easement.

The above described utility easement contains a total area of 0.135 acres located within located Franklin County Auditor's parcel number 274-000026.

The bearings described herein are based on Grid North (reference North 83 degrees 49 minutes 54 seconds East for the centerline of Rings Road between Franklin County Geodetic Survey monuments 0049 and 7747) as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey.

Iron pins set are 30" by 5/8" diameter rebar with caps stamped "Structurepoint-PS 8438".

The above described utility easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on July 13, 2015, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham, PS
Registered Professional Surveyor No. 8438



10/20/2015
Date

PROJ. NO. 13.517
 DRAWN BY: MJW
 CHECKED BY: BPB
 DATE: 7/6/2015



AMERICAN
STRUCTUREPOINT
INC.

2550 CORPORATE EXCHANGE DR, STE 300
 COLUMBUS, OH 43231
 TEL 614.901.2235 FAX 614.901.2238
 www.structurepoint.com

EXHIBIT "B"
 19-U
0.135 AC. UTILITY EASE
ACQUIRED FROM
ALEXIS L. GOSETTO

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN
 CITY OF DUBLIN, LOCATED IN VIRGINIA MILITARY SURVEY NUMBER 3453

- M.N.S. MAG NAIL SET
- I.P.S. 5/8" IRON PIN SET WITH CAP "STRUCTUREPOINT-PS 8438"
- I.P.F. IRON PIN FOUND
- ⊙ P.F. IRON PIPE FOUND
- ⊕ FRANKLIN COUNTY GEODETIC SURVEY MONUMENT

PID: 274-000035
 RUSSEL R. EVERMAN AND
 BERNICE D. EVERMAN
 O.R. 12019 C13
 38.18 AC.

PID: 274-000087
 NORTHWEST CHAPEL GRACE
 BRETHERN CHURCH
 I.N. 199912100304439
 2.802 AC.

PID: 274-000026
 ALEXIS L. GOSETTO
 I.N. 201208070113847
 35.60 AC.

PID: 274-000039
 NORTHWEST CHAPEL GRACE
 BRETHERN CHURCH
 I.N. 200408060187262
 1.136 AC.

56.11'
 N 88° 00' 41" E
 R=284.00'
 Δ=09° 15' 59"
 L=45.93'
 CHD=45.88'
 BRG=N 62° 18' 04" E

R=81.00'
 Δ=64° 49' 41"
 L=91.65'
 CHD=86.84'
 BRG=S 89° 55' 05" E

29.61'
 S 57° 30' 14" E

44.43'
 CHURCHMAN ROAD
 P.B. 117, PG. 31
 (R/W WIDTH VARIES) N 88° 00' 41" E

EX R/

EX R/W

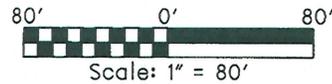
EX R/W

EX R/W

R/W

POINT OF REFERENCE

POINT OF BEGINNING



BASIS OF BEARING:
 THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N 83° 49' 54" E FOR THE CENTERLINE OF RINGS ROAD, AS REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) AND THE NORTH AMERICAN DATUM OF 1983 (2007 ADJUSTMENT) AS ESTABLISHED UTILIZING A GPS SURVEY ORIGINATING ON FRANKLIN COUNTY ENGINEER'S OFFICE PUBLISHED MONUMENTS "0049" AND "7747".

I HEREBY CERTIFY THAT:
 THIS DRAWING REPRESENTS THE RESULTS OF AN ACTUAL FIELD SURVEY OF THE PREMISES PERFORMED BY AMERICAN STRUCTUREPOINT, INC., AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Brian P. Bingham
 BRIAN P. BINGHAM, P.S. NO. 8438
 AMERICAN STRUCTUREPOINT, INC.

10/20/2015
 DATE



SHEET 1 OF 1

EXHIBIT "A"

19-T-1

DESCRIPTION OF A 0.005 ACRE TEMPORARY CONSTRUCTION EASEMENT
TO PERFORM GRADING AND DRIVE RECONSTRUCTION

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey (VMS) number 3453, being part of that 35.60 acre tract of land described in a deed to Alexis L. Gosetto, of record in Instrument Number 201208070113847, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, said parcel being more particularly bounded and described as follows:

Commencing for reference at a point on the existing centerline of right-of-way for Rings Road, being the northeast corner of the grantor's land;

Thence **South 88 degrees 00 minutes 41 seconds West**, along the existing centerline of right-of-way for said Rings Road, along the grantor's north line, a distance of **71.97 feet** to a point;

Thence across the grantor's land along the following five (5) described courses:

1. **South 01 degree 59 minutes 19 seconds East**, along a line perpendicular to the previous course, a distance of **49.00 feet** to a point on the proposed south right-of-way line for said Rings Road, said point being the **TRUE POINT OF BEGINNING** for the herein described temporary easement;
2. **South 01 degree 59 minutes 19 seconds East**, a distance of **10.00 feet** to a point;
3. **South 88 degrees 00 minutes 41 seconds West**, along a line perpendicular to the previous course, a distance of **20.00 feet** to a point;
4. **North 01 degrees 59 minutes 19 seconds West**, along a line perpendicular to the previous course, a distance of **10.00 feet** to a point on a proposed south right-of-way line for said Rings Road;
5. **North 88 degrees 00 minutes 41 seconds East**, along a proposed south right-of-way line for said Rings Road, a distance of **20.00 feet** to the **TRUE POINT OF BEGINNING** for the herein described temporary easement.

The above described temporary easement contains a total area of **0.005 acres** located within located Franklin County Auditor's parcel number 274-000026.

The bearings described herein are based on Grid North (reference North 83 degrees 49 minutes 54 seconds East for the centerline of Rings Road between Franklin County Geodetic Survey monuments 0049 and 7747) as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey.

Iron pins set are 30" by 5/8" diameter rebar with caps stamped "Structurepoint-PS 8438".

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on July 13, 2015, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham, PS
Registered Professional Surveyor No. 8438



10/29/2015
Date

PROJ. NO. 13.517
 DRAWN BY: MJW
 CHECKED BY: BPB
 DATE: 7/2/2015

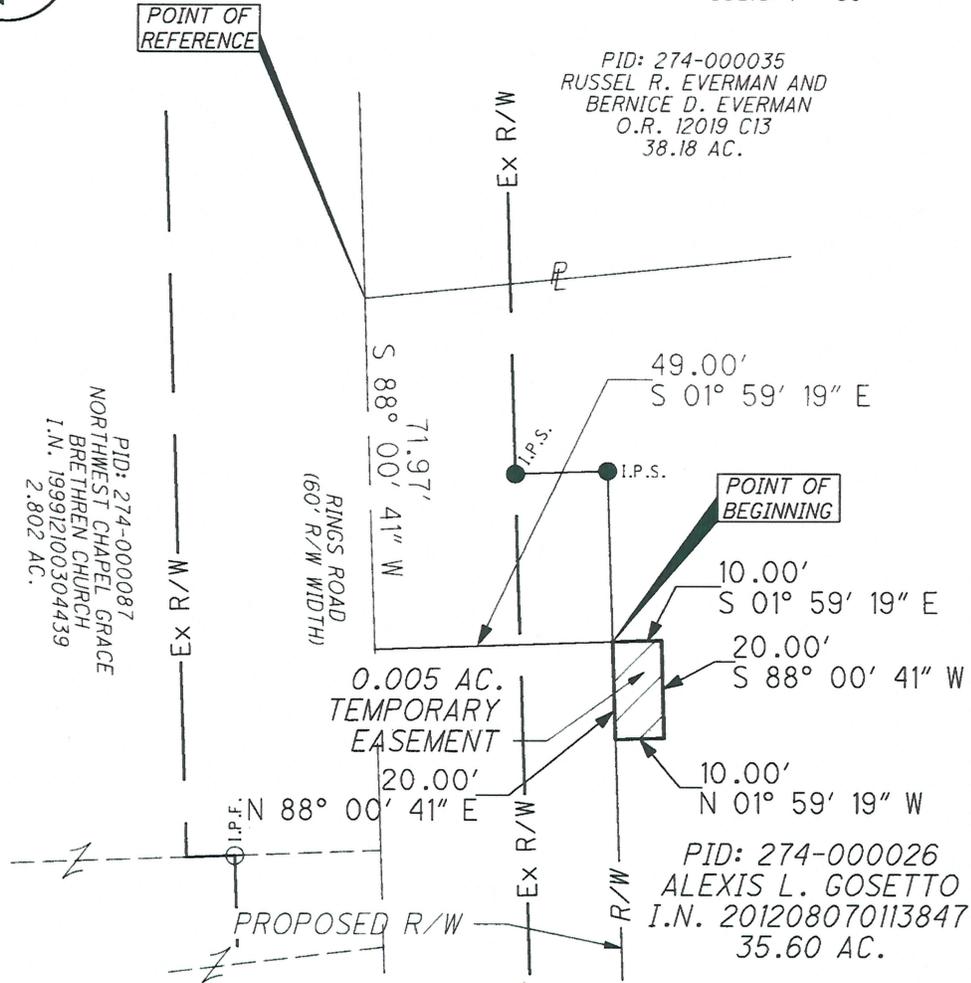
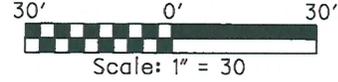


AMERICAN
STRUCTUREPOINT
 INC.

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 COLUMBUS, OH 43231
 TEL 614.901.2235 FAX 614.901.2238
 www.structurepoint.com

EXHIBIT "B"
 19-T-1
**0.005 AC. TEMP EASEMENT
 ACQUIRED FROM
 ALEXIS L. GOSETTO**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN
 CITY OF DUBLIN, LOCATED IN VIRGINIA MILITARY SURVEY NUMBER 3453



BASIS OF BEARING:
 THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N 83° 49' 54" E FOR THE CENTERLINE OF RINGS ROAD, AS REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) AND THE NORTH AMERICAN DATUM OF 1983 (2007 ADJUSTMENT) AS ESTABLISHED UTILIZING A GPS SURVEY ORIGINATING ON FRANKLIN COUNTY ENGINEER'S OFFICE PUBLISHED MONUMENTS "0049" AND "7747".

● M.N.S.	MAG NAIL SET
● I.P.S.	5/8" IRON PIN SET WITH CAP "STRUCTUREPOINT-PS 8438"
○ I.P.F.	IRON PIN FOUND
⊙ P.F.	IRON PIPE FOUND
⊗	FRANKLIN COUNTY GEODETIC SURVEY MONUMENT

I HEREBY CERTIFY THAT:
 THIS DRAWING REPRESENTS THE RESULTS OF AN ACTUAL FIELD SURVEY OF THE PREMISES PERFORMED BY AMERICAN STRUCTUREPOINT, INC., AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Brian P. Bingham
 BRIAN P. BINGHAM, P.S. NO. 8438
 AMERICAN STRUCTUREPOINT, INC.

7/2/2015
 DATE



EXHIBIT "A"

19-T-2

**DESCRIPTION OF A 0.034 ACRE TEMPORARY CONSTRUCTION EASEMENT
TO PERFORM GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey (VMS) number 3453, being part of that 35.60 acre tract of land described in a deed to **Alexis L. Gosetto**, of record in Instrument Number 201208070113847, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, said parcel being more particularly bounded and described as follows:

Commencing for reference at a point on the existing centerline of right-of-way for Rings Road, being the northeast corner of the grantor's land;

Thence **South 88 degrees 00 minutes 41 seconds West**, along the existing centerline of right-of-way for said Rings Road, a distance of **218.47 feet** to a point;

Thence across the grantor's land along the following nine (9) described courses:

1. **South 01 degree 59 minutes 19 seconds East**, along a line perpendicular to the previous course, a distance of **49.00 feet** to a point on the proposed south right-of-way line for said Rings Road, said point being the **TRUE POINT OF BEGINNING** for the herein described temporary easement;
2. **South 59 degrees 43 minutes 55 seconds West**, a distance of **129.67 feet** to a point;
3. **North 89 degrees 36 minutes 28 seconds West**, a distance of **68.68 feet** to a point;
4. **North 58 degrees 55 minutes 14 seconds West**, a distance of **107.36 feet** to a point on a proposed south right-of-way line for said Rings Road;
5. **North 88 degrees 00 minutes 41 seconds East**, along a proposed south right-of-way line for said Rings Road, a distance of **9.16 feet** to a point on a proposed utility easement for said Rings Road;
6. **South 58 degrees 55 minutes 14 seconds East**, along said proposed utility easement, a distance of **98.31 feet** to a point;
7. **South 89 degrees 36 minutes 28 seconds East**, continuing along said proposed utility easement, a distance of **65.94 feet** to a point;
8. **North 59 degrees 43 minutes 55 seconds East**, continuing along said proposed utility easement, a distance of **119.01 feet** to a point on a proposed south right-of-way line for said Rings Road;
9. **North 88 degrees 00 minutes 41 seconds East**, along a proposed south right-of-way line for said Rings Road, a distance of **10.55 feet** to the **TRUE POINT OF BEGINNING** for the herein described temporary easement.

The above described temporary easement contains a total area of **0.034 acres** located within located Franklin County Auditor's parcel number 274-000026.

The bearings described herein are based on Grid North (reference North 83 degrees 49 minutes 54 seconds East for the centerline of Rings Road between Franklin County Geodetic Survey monuments 0049 and 7747) as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey.

Iron pins set are 30" by 5/8" diameter rebar with caps stamped "Structurepoint-PS 8438".

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on July 13, 2015, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham, PS
Registered Professional Surveyor No. 8438



10/20/2015
Date

PROJ. NO. 13.517
 DRAWN BY: MJW
 CHECKED BY: BPB
 DATE: 7/6/2015

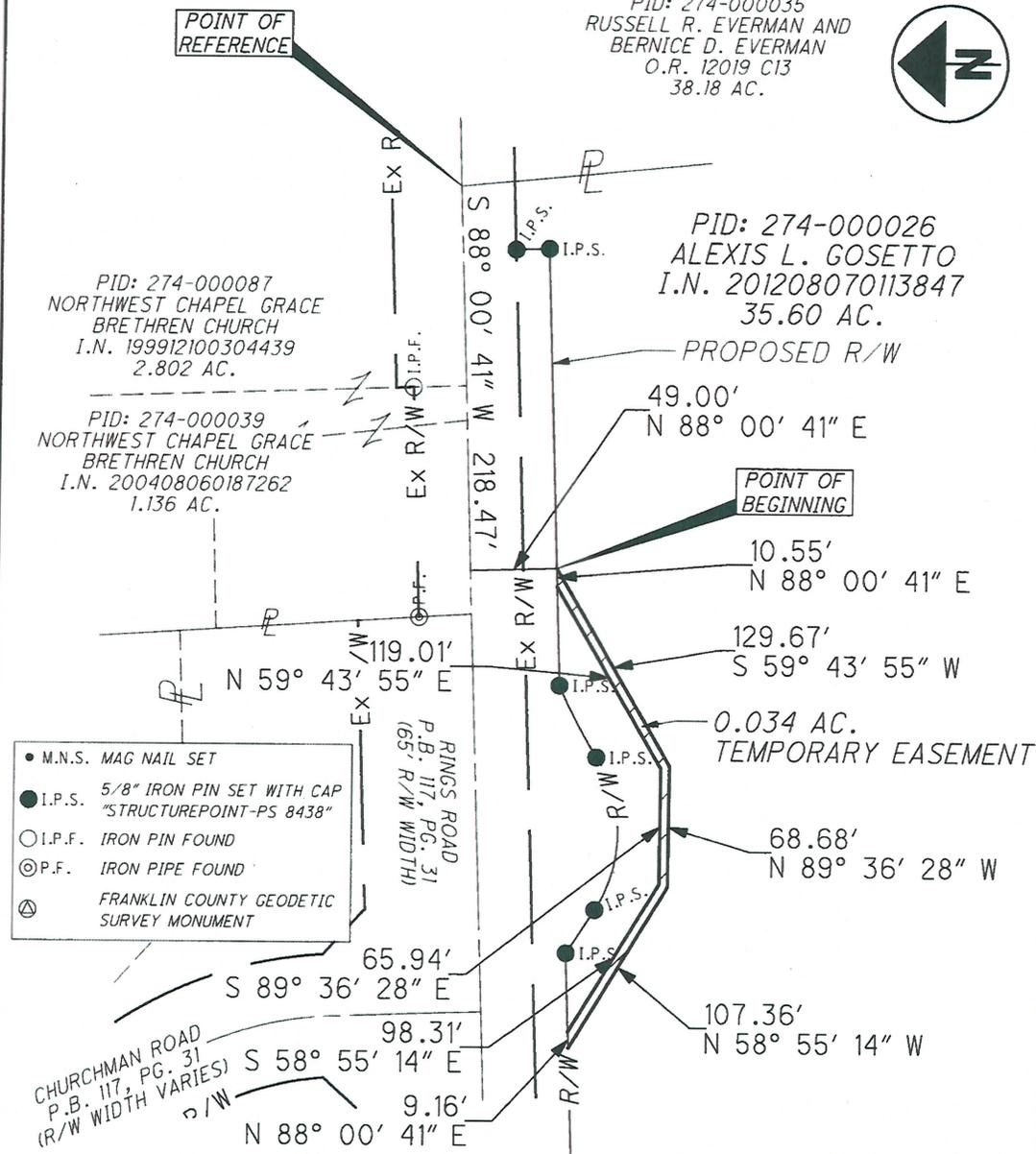


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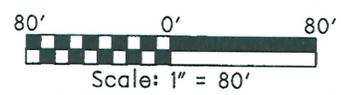
EXHIBIT "B"
 19-T-2
 0.005 AC. TEMP EASEMENT
 ACQUIRED FROM
 ALEXIS L. GOSETTO

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN
 CITY OF DUBLIN, LOCATED IN VIRGINIA MILITARY SURVEY NUMBER 3453

PID: 274-000035
 RUSSELL R. EVERMAN AND
 BERNICE D. EVERMAN
 O.R. 12019 C13
 38.18 AC.



- M.N.S. MAG NAIL SET
- I.P.S. 5/8" IRON PIN SET WITH CAP "STRUCTUREPOINT-PS 8438"
- I.P.F. IRON PIN FOUND
- ⊙ P.F. IRON PIPE FOUND
- ⊕ FRANKLIN COUNTY GEODETIC SURVEY MONUMENT



BASIS OF BEARING:
 THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N 83° 49' 54" E FOR THE CENTERLINE OF RINGS ROAD, AS REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) AND THE NORTH AMERICAN DATUM OF 1983 (2007 ADJUSTMENT) AS ESTABLISHED UTILIZING A GPS SURVEY ORIGINATING ON FRANKLIN COUNTY ENGINEER'S OFFICE PUBLISHED MONUMENTS "0049" AND "7747".

I HEREBY CERTIFY THAT:
 THIS DRAWING REPRESENTS THE RESULTS OF AN ACTUAL FIELD SURVEY OF THE PREMISES PERFORMED BY AMERICAN STRUCTUREPOINT, INC., AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Brian P. Bingham
 BRIAN P. BINGHAM, P.S. NO. 8438
 AMERICAN STRUCTUREPOINT, INC.

10/20/2015
 DATE