

**TEMPORARY RIGHT OF ENTRY AND  
CONSTRUCTION EASEMENT AGREEMENT**

This Temporary Right of Entry and Construction Easement Agreement (this "Agreement") is entered into on this 22<sup>nd</sup> day of Oct, 2007 (the "Agreement"), between Robert D. Springer and Sandra N. Springer, husband and wife, owners of the property located at 500 David Lane, Mason, Ohio 45040 ("Owner"), and the City of Mason Ohio (the "City").

The Owner is the owner of the real estate property (the "Property"), which is known as:

Parcel ID No. 16-29-201-008

The City and its contractors, engineers, agents and/or employees desire to enter upon a portion of the Property in the area shown as the 20' temporary easement Exhibit "A" affixed hereto (the "Temporary Construction Easement Area") for the purposes of for access and construction of a bike path (the "Work").

The City agrees to pay to Owner, upon execution of this agreement, the sum of \$1.00 and other valuable consideration (the "Entry Price"), as full compensation for the rights granted to the City by the Owner pursuant to this Agreement. City accepts Owner's donation of the rights granted hereunder as a contribution toward the success of the above-referenced project. Excluded here from are any costs expended by the City to restore and repair the Property as more fully detailed below.

Owner hereby grants to the City, in consideration of the Entry Price, the temporary right and easement for the City, its employees, agents, engineers, and/or contractors, to enter upon the Temporary Construction Easement Area by persons, equipment, and vehicles, and use the same for the sole purposes of construction of a bicycle path.

The foregoing rights and easement granted by Owner to the City and all rights under this Agreement shall automatically expire upon completion of the Project.

Upon completion of the Work, the City, at its cost, shall repair the Temporary Construction Easement Area and any other damage to the Property caused by the Work or any other activities by or on behalf of City on or about he Property, so as to restore the Property.

This Agreement is the entire agreement between the parties and cannot be modified by an oral or other communication, except as signed by both parties.

OWNER:

Robert D. Springer  
Robert D. Springer

Sandra N. Springer  
Sandra N. Springer

STATE OF OHIO :  
: SS:  
COUNTY OF WARREN :

The foregoing instrument was signed and acknowledged before me, a Notary Public, this 22nd day of Oct, 2007, by Robert D. Springer and Sandra N. Springer, husband and wife.



**ROCCINA M. STELLATANO**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date, Section 147.03 O.R.C.

Rocchina M. Stellatano  
(Notary Public)

(My commission Expires)

CITY OF MASON

By: Eric Hansen  
Print Name: Eric Hansen  
Title: City Manager

STATE OF OHIO :  
: SS:  
COUNTY OF WARREN :

The foregoing instrument was signed and acknowledged before me, a Notary Public, this 22nd day of Oct, 2007, by Eric Hansen, City Manager.

Rocchina M. Stellatano  
(Notary Public)

(My commission Expires)

Wood Hamping, LLP  
Rocchina M. Stellatano  
Approved as to Form



**ROCCINA M. STELLATANO**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date, Section 147.03 O.R.C.

Parcel No. 16-29-201-008

**LIMITED WARRANTY DEED**

**CITY OF MASON, OHIO**, an Ohio municipal corporation, (hereinafter "GRANTOR") of Warren County, Ohio, for valuable consideration grants and conveys with limited warranty covenants to the **ROBERT D. SPRINGER AND SANDRA N. SPRINGER, husband and wife, for their joint lives, remainder to the survivor of them**, (hereinafter "GRANTEE"), whose tax-mailing address is 500 David Lane, Mason, OH 45040, the following real property situated in the State of Ohio, County of Warren:

See Exhibit "A" attached hereto, made part hereof and incorporated herein by reference.

The property is conveyed subject to and there are hereby excepted from the limited warranty covenants all easements and restrictions of record, established easements, zoning ordinances and real estate taxes and assessments, which are due, but not yet payable.

Prior Instrument Reference: Official Record Book 4542, page 951 Warren County, Ohio records.

Executed by Eric Hansen, City Manager of **CITY OF MASON, OHIO**, an Ohio municipal corporation, who has hereunto set his hand this 22<sup>nd</sup> day of Oct, 2007.

**CITY OF MASON, OHIO**  
By: [Signature]  
Eric Hansen, City Manager

STATE OF OHIO        )  
                                  ) SS:  
COUNTY OF WARREN)

[Signature] The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of \_\_\_\_\_, 2007, by Eric Hansen, City Manager of the City of Mason, Ohio.

[Signature]  
Notary Public  
My commission expires: [Signature]

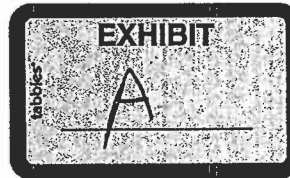
This instrument was prepared by: Roccina S. Niehaus, Esq., Wood & Lamping LLP, 600 Vine Street, Suite 2500, Cincinnati, Ohio 45202.



**ROCCINA M. STELLATANO**  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date: Section 147.03 O.R.C.

100H-1025869





May 31, 2007

**LEGAL DESCRIPTION  
PART LOT 246 – MASON HEIGHTS  
0.620 ACRES**

Situated in Section 29, Town 4, Range 2, City of Mason, Warren County, Ohio and being part of Lot 246 of the Sixth Addition to Mason Heights Subdivision as recorded in Plat Book 4, Page 135 and conveyed to the City of Mason in Official Record Volume 4384 Page 368 and being more particularly described as follows:

Beginning at a ½" iron pin found at the northeast corner of Lot 246, being in the right-of-way line of David Lane;

Thence along said right-of-way line, along curve to the left, an arc distance of 40.71 feet to a 5/8" iron pin set, said curve having a radius of 50.00 feet, a central angle of 46°38'55" and a chord bearing S28°39'08"W for 39.59 feet;

Thence through Lot 246 the following three (3) courses:

1. S71°45'20"W a distance of 179.55 feet to a 5/8" iron pin set;
2. N44°59'51"W a distance of 27.01 feet to a 5/8" iron pin set;
3. N18°14'57"E a distance of 250.88 feet to a 5/8" iron pin set in the northeast line of said Lot 246;

Thence along said line, S38°00'20"E a distance of 211.19 feet to the Point of Beginning, containing 0.620 acres more or less and being subject to easements, restrictions, and rights-of-way of record.

Bearings are based the west line of lot 246 being N01°30'10"E as per the Sixth Addition to Mason Heights Subdivision as recorded in Plat Book 4 Page 135.

The above description is based on a field survey made by Kleingers & Associates, Inc., under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume \_\_\_\_\_ Page \_\_\_\_\_ of the Warren County Engineers Record of Land Surveys.



# Engineering and Building

6000 Mason-Montgomery Road  
Mason, OH 45040  
513-229-8520  
Fax: 513-229-8521

Mr. Brad Martin  
U.S Bank

October 8, 2007

Dear Brad,

The City of Mason is currently holding a check from Robert and Sandra Springer, for the sum of \$500.00. This check was submitted as an "Earnest Deposit" on the 500 David Lane, Mason Ohio 45040. The check is being held until closing, at which time, it will be applied toward the purchase price of \$220,000.00.

Sincerely,

Larry Rudd  
Facility Manager  
City of Mason  
Ph # (513) 229-8520

**ROBERT SPRINGER**  
**SANDRA SPRINGER**  
3883 THORNGATE DR.  
MASON, OH 45040

25-3-138  
440  
685140758

1560

DATE 9-14-07

PAY TO THE ORDER OF City of Mason \$ 500.00

Five hundred DOLLARS

**CHASE**  
JPMorgan Chase Bank, N.A.  
Columbus, Ohio 43271  
www.Chase.com

MEMO

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